

# Senate Study Bill 3158 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BUDGET  
BILL)

## A BILL FOR

1 An Act relating to appropriations for health and human  
2 services and veterans and including other related provisions  
3 and appropriations, providing penalties, and including  
4 effective date and retroactive and other applicability date  
5 provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING — FY 2022-2023

Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day, respite care, chore, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes:  
..... \$ 11,804,082

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, \$418,700 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both state and federal laws, rules, and regulations, including but not limited to all of the following:

1 (1) Requiring that expenditures are incurred only for goods  
2 or services received or performed prior to the end of the  
3 fiscal period designated for use of the funds.

4 (2) Prohibiting prepayment for goods or services not  
5 received or performed prior to the end of the fiscal period  
6 designated for use of the funds.

7 (3) Prohibiting prepayment for goods or services not  
8 defined specifically by good or service, time period, or  
9 recipient.

10 (4) Prohibiting the establishment of accounts from which  
11 future goods or services which are not defined specifically by  
12 good or service, time period, or recipient, may be purchased.

13 b. The procedures shall provide that if any funds are  
14 expended in a manner that is not in compliance with the  
15 procedures and applicable federal and state laws, rules, and  
16 regulations, and are subsequently subject to repayment, the  
17 area agency on aging expending such funds in contravention of  
18 such procedures, laws, rules and regulations, not the state,  
19 shall be liable for such repayment.

20 4. Of the funds appropriated in this section, at least  
21 \$600,000 shall be used to fund home and community-based  
22 services through the area agencies on aging that enable older  
23 individuals to avoid more costly utilization of residential or  
24 institutional services and remain in their own homes.

25 5. Of the funds appropriated in this section, \$812,000 shall  
26 be used for the purposes of [chapter 231E](#) and to administer  
27 the prevention of elder abuse, neglect, and exploitation  
28 program pursuant to [section 231.56A](#), in accordance with the  
29 requirements of the federal Older Americans Act of 1965, 42  
30 U.S.C. §3001 et seq., as amended.

31 6. Of the funds appropriated in this section, \$1,000,000  
32 shall be used to fund continuation of the aging and disability  
33 resource center lifelong links to provide individuals and  
34 caregivers with information and services to plan for and  
35 maintain independence.

1     7. Of the funds appropriated in this section, \$250,000  
2 shall be used by the department on aging, in collaboration with  
3 the department of human services and affected stakeholders,  
4 to continue to expand the pilot initiative to provide  
5 long-term care options counseling utilizing support planning  
6 protocols, to assist non-Medicaid eligible consumers who  
7 indicate a preference to return to the community and are  
8 deemed appropriate for discharge, to return to their community  
9 following a nursing facility stay. The department on aging  
10 shall submit a report regarding the outcomes of the pilot  
11 initiative to the governor and the general assembly by December  
12 15, 2022.

13                                   DIVISION II

14             OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2022-2023

15     Sec. 2. OFFICE OF LONG-TERM CARE OMBUDSMAN. There is  
16 appropriated from the general fund of the state to the office  
17 of long-term care ombudsman for the fiscal year beginning July  
18 1, 2022, and ending June 30, 2023, the following amount, or  
19 so much thereof as is necessary, to be used for the purposes  
20 designated:

21     For salaries, support, administration, maintenance, and  
22 miscellaneous purposes:

23 ..... \$ 1,149,821

24                                   DIVISION III

25             DEPARTMENT OF PUBLIC HEALTH — FY 2022-2023

26     Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated  
27 from the general fund of the state to the department of public  
28 health for the fiscal year beginning July 1, 2022, and ending  
29 June 30, 2023, the following amounts, or so much thereof as is  
30 necessary, to be used for the purposes designated:

31     1. ADDICTIVE DISORDERS

32     For reducing the prevalence of the use of tobacco, alcohol,  
33 and other drugs, and treating individuals affected by addictive  
34 behaviors, including gambling:

35 ..... \$ 23,659,379

1     a. Of the funds appropriated in this subsection, \$4,020,894  
2 shall be used for the tobacco use prevention and control  
3 initiative, including efforts at the state and local levels,  
4 as provided in [chapter 142A](#). The commission on tobacco use  
5 prevention and control established pursuant to [section 142A.3](#)  
6 shall advise the director of public health in prioritizing  
7 funding needs and the allocation of moneys appropriated for  
8 the programs and initiatives. Activities of the programs  
9 and initiatives shall be in alignment with the United States  
10 centers for disease control and prevention best practices  
11 for comprehensive tobacco control programs that include  
12 the goals of preventing youth initiation of tobacco usage,  
13 reducing exposure to secondhand smoke, and promotion of tobacco  
14 cessation.

15     b. (1) Of the funds appropriated in this subsection,  
16 \$19,638,485 shall be used for problem gambling and  
17 substance-related disorder prevention, treatment, and recovery  
18 services, including a 24-hour helpline, public information  
19 resources, professional training, youth prevention, and program  
20 evaluation.

21     (2) Of the amount allocated under this paragraph, \$306,000  
22 shall be utilized by the department of public health, in  
23 collaboration with the department of human services, to  
24 maintain a single statewide 24-hour crisis hotline for the Iowa  
25 children's behavioral health system that incorporates warmline  
26 services which may be provided through expansion of existing  
27 capabilities maintained by the department of public health as  
28 required pursuant to [2018 Iowa Acts, chapter 1056, section 16](#).

29     c. The requirement of [section 123.17, subsection 5](#), is met  
30 by the appropriations and allocations made in this division of  
31 this Act for purposes of substance-related disorder treatment  
32 and addictive disorders for the fiscal year beginning July 1,  
33 2022.

34     2. HEALTHY CHILDREN AND FAMILIES

35     For promoting the optimum health status for children and

1 adolescents from birth through 21 years of age, and families:  
2 ..... \$ 5,816,681

3 3. CHRONIC CONDITIONS

4 For serving individuals identified as having chronic  
5 conditions or special health care needs:  
6 ..... \$ 4,258,373

7 4. COMMUNITY CAPACITY

8 For strengthening the health care delivery system at the  
9 local level:  
10 ..... \$ 6,519,306

11 a. Of the funds appropriated in this subsection, \$2,100,000  
12 shall be deposited in the medical residency training account  
13 created in [section 135.175, subsection 5](#), paragraph "a", and  
14 is appropriated from the account to the department of public  
15 health to be used for the purposes of the medical residency  
16 training state matching grants program as specified in section  
17 135.176.

18 b. Of the funds appropriated in this subsection, \$800,000  
19 shall be used for rural psychiatric residencies to support the  
20 annual creation and training of six psychiatric residents who  
21 will provide mental health services in underserved areas of  
22 the state. Notwithstanding section 8.33, moneys that remain  
23 unencumbered or unobligated at the close of the fiscal year  
24 shall not revert but shall remain available for expenditure for  
25 the purposes designated for subsequent fiscal years.

26 c. Of the funds appropriated in this subsection, \$425,000  
27 shall be used for the creation or continuation of a center of  
28 excellence program to encourage innovation and collaboration  
29 among regional health care providers in a rural area based  
30 upon the results of a regional community needs assessment to  
31 transform health care delivery in order to provide quality,  
32 sustainable care that meets the needs of the local communities.  
33 An applicant for the funds shall specify how the funds will  
34 be expended to accomplish the goals of the program and shall  
35 provide a detailed five-year sustainability plan prior to

1 being awarded any funding. Following the receipt of funding,  
2 a recipient shall submit periodic reports as specified by the  
3 department to the governor and the general assembly regarding  
4 the recipient's expenditure of the funds and progress in  
5 accomplishing the program goals.

6 5. ESSENTIAL PUBLIC HEALTH SERVICES

7 To provide public health services that reduce risks and  
8 invest in promoting and protecting good health over the  
9 course of a lifetime with a priority given to older Iowans and  
10 vulnerable populations:

11 ..... \$ 7,662,464

12 6. INFECTIOUS DISEASES

13 For reducing the incidence and prevalence of communicable  
14 diseases:

15 ..... \$ 1,796,206

16 7. PUBLIC PROTECTION

17 a. For protecting the health and safety of the public  
18 through establishing standards and enforcing regulations:

19 ..... \$ 4,706,601

20 b. Of the funds appropriated in this subsection, not more  
21 than \$304,000 shall be credited to the emergency medical  
22 services fund created in [section 135.25](#). Moneys in the  
23 emergency medical services fund are appropriated to the  
24 department to be used for the purposes of the fund.

25 8. RESOURCE MANAGEMENT

26 For establishing and sustaining the overall ability of the  
27 department to deliver services to the public:

28 ..... \$ 933,871

29 9. MISCELLANEOUS PROVISIONS

30 The university of Iowa hospitals and clinics under the  
31 control of the state board of regents shall not receive  
32 indirect costs from the funds appropriated in this section.  
33 The university of Iowa hospitals and clinics billings to the  
34 department shall be on at least a quarterly basis.

35 Sec. 4. DEPARTMENT OF PUBLIC HEALTH — SPORTS WAGERING

1 RECEIPTS FUND. There is appropriated from the sports wagering  
2 receipts fund created in section 8.57, subsection 6, to the  
3 department of public health for the fiscal year beginning July  
4 1, 2022, and ending June 30, 2023, the following amount, or  
5 so much thereof as is necessary, to be used for the purposes  
6 designated:

7 For problem gambling and substance-related disorder  
8 prevention, treatment, and recovery services, including a  
9 24-hour helpline, public information resources, professional  
10 training, youth prevention, and program evaluation:  
11 ..... \$ 1,750,000

12 DIVISION IV

13 DEPARTMENT OF VETERANS AFFAIRS — FY 2022-2023

14 Sec. 5. DEPARTMENT OF VETERANS AFFAIRS. There is  
15 appropriated from the general fund of the state to the  
16 department of veterans affairs for the fiscal year beginning  
17 July 1, 2022, and ending June 30, 2023, the following amounts,  
18 or so much thereof as is necessary, to be used for the purposes  
19 designated:

20 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

21 For salaries, support, maintenance, and miscellaneous  
22 purposes:

23 ..... \$ 1,415,288

24 2. IOWA VETERANS HOME

25 For salaries, support, maintenance, and miscellaneous  
26 purposes:

27 ..... \$ 7,131,552

28 a. The Iowa veterans home billings involving the department  
29 of human services shall be submitted to the department on at  
30 least a monthly basis.

31 b. The Iowa veterans home expenditure report shall be  
32 submitted monthly to the general assembly.

33 c. The Iowa veterans home shall continue to include in the  
34 annual discharge report applicant information to provide for  
35 the collection of demographic information including but not



1 limited to the number of individuals applying for admission and  
2 admitted or denied admittance and the basis for the admission  
3 or denial; the age, gender, and race of such individuals;  
4 and the level of care for which such individuals applied for  
5 admission including residential or nursing level of care.

6 3. HOME OWNERSHIP ASSISTANCE PROGRAM

7 For transfer to the Iowa finance authority for the  
8 continuation of the home ownership assistance program for  
9 persons who are or were eligible members of the armed forces of  
10 the United States, pursuant to [section 16.54](#):

11 ..... \$ 2,000,000

12       Sec. 6.   LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS  
13 FUND STANDING APPROPRIATIONS.   Notwithstanding the standing  
14 appropriation in [section 35A.16](#) for the fiscal year beginning  
15 July 1, 2022, and ending June 30, 2023, the amount appropriated  
16 from the general fund of the state pursuant to that section  
17 for the following designated purposes shall not exceed the  
18 following amount:

19 For the county commissions of veteran affairs fund under  
20 section 35A.16:

21 ..... \$ 990,000

22 DIVISION V

23 DEPARTMENT OF HUMAN SERVICES — FY 2022-2023

24       Sec. 7. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK  
25 GRANT. There is appropriated from the fund created in section  
26 8.41 to the department of human services for the fiscal year  
27 beginning July 1, 2022, and ending June 30, 2023, from moneys  
28 received under the federal temporary assistance for needy  
29 families (TANF) block grant pursuant to the federal Personal  
30 Responsibility and Work Opportunity Reconciliation Act of 1996,  
31 Pub. L. No. 104-193, and successor legislation, the following  
32 amounts, or so much thereof as is necessary, to be used for the  
33 purposes designated:

34 1. To be credited to the family investment program account  
35 and used for assistance under the family investment program

1 under chapter 239B:  
2 ..... \$ 5,002,006  
3 2. To be credited to the family investment program account  
4 and used for the job opportunities and basic skills (JOBS)  
5 program and implementing family investment agreements in  
6 accordance with chapter 239B:  
7 ..... \$ 5,412,060  
8 3. To be used for the family development and  
9 self-sufficiency grant program in accordance with section  
10 216A.107:  
11 ..... \$ 2,888,980  
12 Notwithstanding section 8.33, moneys appropriated in this  
13 subsection that remain unencumbered or unobligated at the close  
14 of the fiscal year shall not revert but shall remain available  
15 for expenditure for the purposes designated until the close of  
16 the succeeding fiscal year. However, unless such moneys are  
17 encumbered or obligated on or before September 30, 2023, the  
18 moneys shall revert.  
19 4. For field operations:  
20 ..... \$ 31,296,232  
21 5. For general administration:  
22 ..... \$ 3,744,000  
23 6. For state child care assistance:  
24 ..... \$ 47,166,826  
25 a. Of the funds appropriated in this subsection,  
26 \$26,205,412 is transferred to the child care and development  
27 block grant appropriation made by the Eighty-ninth General  
28 Assembly, 2022 session, for the federal fiscal year beginning  
29 October 1, 2022, and ending September 30, 2023. Of this  
30 amount, \$200,000 shall be used for provision of educational  
31 opportunities to registered child care home providers in order  
32 to improve services and programs offered by this category  
33 of providers and to increase the number of providers. The  
34 department may contract with institutions of higher education  
35 or child care resource and referral centers to provide

1 the educational opportunities. Allowable administrative  
2 costs under the contracts shall not exceed 5 percent. The  
3 application for a grant shall not exceed two pages in length.

4 b. Any funds appropriated in this subsection remaining  
5 unallocated shall be used for state child care assistance  
6 payments for families who are employed including but not  
7 limited to individuals enrolled in the family investment  
8 program.

9 7. For child and family services:

10 ..... \$ 32,380,654

11 8. For child abuse prevention grants:

12 ..... \$ 125,000

13 9. For pregnancy prevention grants on the condition that  
14 family planning services are funded:

15 ..... \$ 1,913,203

16 Pregnancy prevention grants shall be awarded to programs  
17 in existence on or before July 1, 2022, if the programs have  
18 demonstrated positive outcomes. Grants shall be awarded to  
19 pregnancy prevention programs which are developed after July  
20 1, 2022, if the programs are based on existing models that  
21 have demonstrated positive outcomes. Grants shall comply with  
22 the requirements provided in 1997 Iowa Acts, chapter 208,  
23 section 14, subsections 1 and 2, including the requirement that  
24 grant programs must emphasize sexual abstinence. Priority in  
25 the awarding of grants shall be given to programs that serve  
26 areas of the state which demonstrate the highest percentage of  
27 unplanned pregnancies of females of childbearing age within the  
28 geographic area to be served by the grant.

29 10. For technology needs and other resources necessary to  
30 meet federal and state reporting, tracking, and case management  
31 requirements and other departmental needs:

32 ..... \$ 1,037,186

33 11. a. Notwithstanding any provision to the contrary,  
34 including but not limited to requirements in [section 8.41](#) or  
35 provisions in 2021 Iowa Acts or 2022 Iowa Acts regarding the

1 receipt and appropriation of federal block grants, federal  
 2 funds from the temporary assistance for needy families block  
 3 grant received by the state and not otherwise appropriated  
 4 in this section and remaining available for the fiscal year  
 5 beginning July 1, 2022, are appropriated to the department of  
 6 human services to the extent as may be necessary to be used in  
 7 the following priority order: the family investment program,  
 8 for state child care assistance program payments for families  
 9 who are employed, and for the family investment program share  
 10 of system costs for eligibility determination and related  
 11 functions. The federal funds appropriated in this paragraph  
 12 "a" shall be expended only after all other funds appropriated  
 13 in subsection 1 for assistance under the family investment  
 14 program, in subsection 6 for state child care assistance, or  
 15 in subsection 10 for technology costs related to the family  
 16 investment program, as applicable, have been expended. For  
 17 the purposes of this subsection, the funds appropriated in  
 18 subsection 6, paragraph "a", for transfer to the child care  
 19 and development block grant appropriation are considered fully  
 20 expended when the full amount has been transferred.

21 b. The department shall, on a quarterly basis, advise the  
 22 general assembly and department of management of the amount of  
 23 funds appropriated in this subsection that was expended in the  
 24 prior quarter.

25 12. Of the amounts appropriated in this section,  
 26 \$12,962,008 for the fiscal year beginning July 1, 2022, is  
 27 transferred to the appropriation of the federal social services  
 28 block grant made to the department of human services for that  
 29 fiscal year.

30 13. For continuation of the program providing categorical  
 31 eligibility for the supplemental nutrition assistance program  
 32 (SNAP) as specified for the program in the section of this  
 33 division of this Act relating to the family investment program  
 34 account:

35 ..... \$ 14,236

1     14. The department may transfer funds allocated in this  
2 section to the appropriations made in this division of this Act  
3 for the same fiscal year for general administration and field  
4 operations for resources necessary to implement and operate the  
5 services referred to in this section and those funded in the  
6 appropriation made in this division of this Act for the same  
7 fiscal year for the family investment program from the general  
8 fund of the state.

9     15. With the exception of moneys allocated under this  
10 section for the family development and self-sufficiency grant  
11 program, to the extent moneys allocated in this section are  
12 deemed by the department not to be necessary to support the  
13 purposes for which they are allocated, such moneys may be used  
14 in the same fiscal year for any other purpose for which funds  
15 are allocated in this section or in section 8 of this division  
16 of this Act for the family investment program account. If  
17 there are conflicting needs, priority shall first be given  
18 to the family investment program account as specified under  
19 subsection 1 of this section and used for the purposes of  
20 assistance under the family investment program in accordance  
21 with [chapter 239B](#), followed by state child care assistance  
22 program payments for families who are employed, followed by  
23 other priorities as specified by the department.

24     Sec. 8. FAMILY INVESTMENT PROGRAM ACCOUNT.

25     1. Moneys credited to the family investment program (FIP)  
26 account for the fiscal year beginning July 1, 2022, and  
27 ending June 30, 2023, shall be used to provide assistance in  
28 accordance with [chapter 239B](#).

29     2. The department may use a portion of the moneys credited  
30 to the FIP account under this section as necessary for  
31 salaries, support, maintenance, and miscellaneous purposes,  
32 including administrative and information technology costs  
33 associated with rent reimbursement and other income assistance  
34 programs administered by the department.

35     3. The department may transfer funds allocated in

1 subsection 4, excluding the allocation under subsection 4,  
 2 paragraph "b", to the appropriations made in this division of  
 3 this Act for the same fiscal year for general administration  
 4 and field operations for resources necessary to implement  
 5 and operate the services referred to in this section and  
 6 those funded in the appropriations made in section 7 for the  
 7 temporary assistance for needy families block grant and in  
 8 section 9 for the family investment program from the general  
 9 fund of the state in this division of this Act for the same  
 10 fiscal year.

11 4. Moneys appropriated in this division of this Act and  
 12 credited to the FIP account for the fiscal year beginning July  
 13 1, 2022, and ending June 30, 2023, are allocated as follows:

14 a. To be retained by the department of human services to  
 15 be used for coordinating with the department of human rights  
 16 to more effectively serve participants in FIP and other shared  
 17 clients and to meet federal reporting requirements under the  
 18 federal temporary assistance for needy families block grant:  
 19 ..... \$ 10,000

20 b. To the department of human rights for staffing,  
 21 administration, and implementation of the family development  
 22 and self-sufficiency grant program in accordance with section  
 23 216A.107:  
 24 ..... \$ 7,192,834

25 (1) Of the funds allocated for the family development  
 26 and self-sufficiency grant program in this paragraph "b",  
 27 not more than 5 percent of the funds shall be used for the  
 28 administration of the grant program.

29 (2) The department of human rights may continue to implement  
 30 the family development and self-sufficiency grant program  
 31 statewide during fiscal year 2022-2023.

32 (3) The department of human rights may engage in activities  
 33 to strengthen and improve family outcomes measures and  
 34 data collection systems under the family development and  
 35 self-sufficiency grant program.

1 c. For the diversion subaccount of the FIP account:

2 ..... \$ 1,293,000

3 A portion of the moneys allocated for the diversion  
4 subaccount may be used for field operations, salaries, data  
5 management system development, and implementation costs and  
6 support deemed necessary by the director of human services  
7 in order to administer the FIP diversion program. To the  
8 extent moneys allocated in this paragraph "c" are deemed by the  
9 department not to be necessary to support diversion activities,  
10 such moneys may be used for other efforts intended to increase  
11 engagement by family investment program participants in work,  
12 education, or training activities, or for the purposes of  
13 assistance under the family investment program in accordance  
14 with [chapter 239B](#).

15 d. For the SNAP employment and training program:

16 ..... \$ 66,588

17 (1) The department shall apply the federal SNAP employment  
18 and training state plan in order to maximize to the fullest  
19 extent permitted by federal law the use of the 50 percent  
20 federal reimbursement provisions for the claiming of allowable  
21 federal reimbursement funds from the United States department  
22 of agriculture pursuant to the federal SNAP employment and  
23 training program for providing education, employment, and  
24 training services for eligible SNAP participants, including  
25 but not limited to related dependent care and transportation  
26 expenses.

27 (2) The department shall continue the categorical federal  
28 SNAP eligibility at 160 percent of the federal poverty level  
29 and continue to eliminate the asset test from eligibility  
30 requirements, consistent with federal SNAP requirements. The  
31 department shall include as many SNAP households as is allowed  
32 by federal law. The eligibility provisions shall conform to  
33 all federal requirements including requirements addressing  
34 individuals who are incarcerated or otherwise ineligible.

35 e. For the JOBS program, not more than:

1 ..... \$ 11,710,593

2 5. Of the child support collections assigned under FIP,

3 an amount equal to the federal share of support collections

4 shall be credited to the child support recovery appropriation

5 made in this division of this Act. Of the remainder of the

6 assigned child support collections received by the child

7 support recovery unit, a portion shall be credited to the FIP

8 account, a portion may be used to increase recoveries, and a

9 portion may be used to sustain cash flow in the child support

10 payments account. If as a consequence of the appropriations

11 and allocations made in this section the resulting amounts

12 are insufficient to sustain cash assistance payments and meet

13 federal maintenance of effort requirements, the department

14 shall seek supplemental funding. If child support collections

15 assigned under FIP are greater than estimated or are otherwise

16 determined not to be required for maintenance of effort, the

17 state share of either amount may be transferred to or retained

18 in the child support payments account.

19 Sec. 9. FAMILY INVESTMENT PROGRAM GENERAL FUND. There

20 is appropriated from the general fund of the state to the

21 department of human services for the fiscal year beginning July

22 1, 2022, and ending June 30, 2023, the following amount, or

23 so much thereof as is necessary, to be used for the purpose

24 designated:

25 To be credited to the family investment program (FIP)

26 account and used for family investment program assistance

27 under [chapter 239B](#) and other costs associated with providing

28 needs-based benefits or assistance:

29 ..... \$ 41,003,978

30 1. Of the funds appropriated in this section, \$6,606,198 is

31 allocated for the JOBS program.

32 2. Of the funds appropriated in this section, \$4,313,854 is

33 allocated for the family development and self-sufficiency grant

34 program.

35 3. a. Notwithstanding [section 8.39](#), for the fiscal



1 year beginning July 1, 2022, if necessary to meet federal  
2 maintenance of effort requirements or to transfer federal  
3 temporary assistance for needy families block grant funding  
4 to be used for purposes of the federal social services block  
5 grant or to meet cash flow needs resulting from delays in  
6 receiving federal funding or to implement, in accordance with  
7 this division of this Act, activities currently funded with  
8 juvenile court services, county, or community moneys and state  
9 moneys used in combination with such moneys; to comply with  
10 federal requirements; or to maximize the use of federal funds;  
11 the department of human services may transfer funds within or  
12 between any of the appropriations made in this division of this  
13 Act and appropriations in law for the federal social services  
14 block grant to the department for the following purposes,  
15 provided that the combined amount of state and federal  
16 temporary assistance for needy families block grant funding  
17 for each appropriation remains the same before and after the  
18 transfer:

- 19 (1) For the family investment program.
- 20 (2) For state child care assistance.
- 21 (3) For child and family services.
- 22 (4) For field operations.
- 23 (5) For general administration.

24 b. This subsection shall not be construed to prohibit the  
25 use of existing state transfer authority for other purposes.  
26 The department shall report any transfers made pursuant to this  
27 subsection to the general assembly.

28 4. Of the funds appropriated in this section, \$195,000  
29 shall be used for a contract for tax preparation assistance  
30 to low-income Iowans to expand the usage of the earned income  
31 tax credit. The purpose of the contract is to supply this  
32 assistance to underserved areas of the state. The department  
33 shall not retain any portion of the allocation under this  
34 subsection for administrative costs.

35 5. Of the funds appropriated in this section, \$70,000 shall

1 be used for the continuation of the parenting program, as  
 2 specified in 441 IAC ch. 100, relating to parental obligations,  
 3 in which the child support recovery unit participates, to  
 4 support the efforts of a nonprofit organization committed to  
 5 strengthening the community through youth development, healthy  
 6 living, and social responsibility headquartered in a county  
 7 with a population over 450,000 according to the 2020 certified  
 8 federal census. The funds allocated in this subsection shall  
 9 be used by the recipient organization to develop a larger  
 10 community effort, through public and private partnerships, to  
 11 support a broad-based multi-county parenthood initiative that  
 12 promotes payment of child support obligations, improved family  
 13 relationships, and full-time employment.

14 6. The department may transfer funds appropriated in this  
 15 section, excluding the allocation in subsection 2 for the  
 16 family development and self-sufficiency grant program, to the  
 17 appropriations made in this division of this Act for general  
 18 administration and field operations as necessary to administer  
 19 this section, section 7 for the temporary assistance for needy  
 20 families block grant, and section 8 for the family investment  
 21 program account.

22 Sec. 10. CHILD SUPPORT RECOVERY. There is appropriated  
 23 from the general fund of the state to the department of human  
 24 services for the fiscal year beginning July 1, 2022, and ending  
 25 June 30, 2023, the following amount, or so much thereof as is  
 26 necessary, to be used for the purposes designated:

27 For child support recovery, including salaries, support,  
 28 maintenance, and miscellaneous purposes:

29 ..... \$ 15,942,885

30 1. The department shall expend up to \$24,000, including  
 31 federal financial participation, for the fiscal year beginning  
 32 July 1, 2022, for a child support public awareness campaign.  
 33 The department and the office of the attorney general shall  
 34 cooperate in continuation of the campaign. The public  
 35 awareness campaign shall emphasize, through a variety of

1 media activities, the importance of maximum involvement of  
2 both parents in the lives of their children as well as the  
3 importance of payment of child support obligations.

4 2. Federal access and visitation grant moneys shall be  
5 issued directly to private not-for-profit agencies that provide  
6 services designed to increase compliance with the child access  
7 provisions of court orders, including but not limited to  
8 neutral visitation sites and mediation services.

9 3. The appropriation made to the department for child  
10 support recovery may be used throughout the fiscal year in the  
11 manner necessary for purposes of cash flow management, and for  
12 cash flow management purposes the department may temporarily  
13 draw more than the amount appropriated, provided the amount  
14 appropriated is not exceeded at the close of the fiscal year.

15 Sec. 11. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —  
16 FY 2022-2023. Any funds remaining in the health care trust  
17 fund created in [section 453A.35A](#) for the fiscal year beginning  
18 July 1, 2022, and ending June 30, 2023, are appropriated to  
19 the department of human services to supplement the medical  
20 assistance program appropriations made in this division of this  
21 Act, for medical assistance reimbursement and associated costs,  
22 including program administration and costs associated with  
23 program implementation.

24 Sec. 12. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY  
25 2022-2023. Any funds remaining in the Medicaid fraud fund  
26 created in [section 249A.50](#) for the fiscal year beginning  
27 July 1, 2022, and ending June 30, 2023, are appropriated to  
28 the department of human services to supplement the medical  
29 assistance appropriations made in this division of this Act,  
30 for medical assistance reimbursement and associated costs,  
31 including program administration and costs associated with  
32 program implementation.

33 Sec. 13. MEDICAL ASSISTANCE. There is appropriated from the  
34 general fund of the state to the department of human services  
35 for the fiscal year beginning July 1, 2022, and ending June 30,

1 2023, the following amount, or so much thereof as is necessary,  
2 to be used for the purpose designated:

3 For medical assistance program reimbursement and associated  
4 costs as specifically provided in the reimbursement  
5 methodologies in effect on June 30, 2022, except as otherwise  
6 expressly authorized by law, consistent with options under  
7 federal law and regulations, and contingent upon receipt of  
8 approval from the office of the governor of reimbursement for  
9 each abortion performed under the program:

10 ..... \$ 1,503,848,253

11 1. Iowans support reducing the number of abortions  
12 performed in our state. Funds appropriated under this section  
13 shall not be used for abortions, unless otherwise authorized  
14 under this section.

15 2. The provisions of this section relating to abortions  
16 shall also apply to the Iowa health and wellness plan created  
17 pursuant to [chapter 249N](#).

18 3. The department shall utilize not more than \$60,000 of  
19 the funds appropriated in this section to continue the AIDS/HIV  
20 health insurance premium payment program as established in 1992  
21 Iowa Acts, Second Extraordinary Session, chapter 1001, section  
22 409, subsection 6. Of the funds allocated in this subsection,  
23 not more than \$5,000 may be expended for administrative  
24 purposes.

25 4. Of the funds appropriated in this Act to the department  
26 of public health for addictive disorders, \$950,000 for  
27 the fiscal year beginning July 1, 2022, is transferred  
28 to the department of human services for an integrated  
29 substance-related disorder managed care system. The  
30 departments of human services and public health shall  
31 work together to maintain the level of mental health and  
32 substance-related disorder treatment services provided by the  
33 managed care contractors. Each department shall take the steps  
34 necessary to continue the federal waivers as necessary to  
35 maintain the level of services.

1     5. The department shall aggressively pursue options for  
2 providing medical assistance or other assistance to individuals  
3 with special needs who become ineligible to continue receiving  
4 services under the early and periodic screening, diagnostic,  
5 and treatment program under the medical assistance program  
6 due to becoming 21 years of age who have been approved for  
7 additional assistance through the department's exception to  
8 policy provisions, but who have health care needs in excess  
9 of the funding available through the exception to policy  
10 provisions.

11     6. Of the funds appropriated in this section, up to  
12 \$3,050,082 may be transferred to the field operations or  
13 general administration appropriations in this division of this  
14 Act for operational costs associated with Part D of the federal  
15 Medicare Prescription Drug Improvement and Modernization Act  
16 of 2003, Pub. L. No. 108-173.

17     7. Of the funds appropriated in this section, up to \$442,100  
18 may be transferred to the appropriation in this division of  
19 this Act for health program operations to be used for clinical  
20 assessment services and prior authorization of services.

21     8. A portion of the funds appropriated in this section may  
22 be transferred to the appropriations in this division of this  
23 Act for general administration, health program operations, the  
24 children's health insurance program, or field operations to be  
25 used for the state match cost to comply with the payment error  
26 rate measurement (PERM) program for both the medical assistance  
27 and children's health insurance programs as developed by the  
28 centers for Medicare and Medicaid services of the United States  
29 department of health and human services to comply with the  
30 federal Improper Payments Information Act of 2002, Pub. L.  
31 No. 107-300, and to support other reviews and quality control  
32 activities to improve the integrity of these programs.

33     9. Of the funds appropriated in this section, a sufficient  
34 amount is allocated to supplement the incomes of residents of  
35 nursing facilities, intermediate care facilities for persons

1 with mental illness, and intermediate care facilities for  
2 persons with an intellectual disability, with incomes of less  
3 than \$50 in the amount necessary for the residents to receive a  
4 personal needs allowance of \$50 per month pursuant to section  
5 249A.30A.

6 10. One hundred percent of the nonfederal share of payments  
7 to area education agencies that are medical assistance  
8 providers for medical assistance-covered services provided to  
9 medical assistance-covered children, shall be made from the  
10 appropriation made in this section.

11 11. A portion of the funds appropriated in this section may  
12 be transferred to the appropriation in this division of this  
13 Act for health program operations to be used for administrative  
14 activities associated with the money follows the person  
15 demonstration project.

16 12. Of the funds appropriated in this section, \$349,011  
17 shall be used for the administration of the health insurance  
18 premium payment program, including salaries, support,  
19 maintenance, and miscellaneous purposes.

20 13. a. The department may increase the amounts allocated  
21 for salaries, support, maintenance, and miscellaneous purposes  
22 associated with the medical assistance program, as necessary,  
23 to sustain cost management efforts. The department shall  
24 report any such increase to the general assembly and the  
25 department of management.

26 b. If the savings to the medical assistance program from  
27 ongoing cost management efforts exceed the associated cost  
28 for the fiscal year beginning July 1, 2022, the department  
29 may transfer any savings generated for the fiscal year due  
30 to medical assistance program cost management efforts to the  
31 appropriation made in this division of this Act for health  
32 program operations or general administration to defray the  
33 costs associated with implementing the efforts.

34 14. For the fiscal year beginning July 1, 2022, and ending  
35 June 30, 2023, the replacement generation tax revenues required

1 to be deposited in the property tax relief fund pursuant to  
2 section 437A.8, subsection 4, paragraph "d", and section  
3 437A.15, subsection 3, paragraph "f", shall instead be credited  
4 to and supplement the appropriation made in this section and  
5 used for the allocations made in this section.

6 15. a. Of the funds appropriated in this section, up  
7 to \$50,000 may be transferred by the department to the  
8 appropriation made in this division of this Act to the  
9 department for the same fiscal year for general administration  
10 to be used for associated administrative expenses and for not  
11 more than 1.00 full-time equivalent position, in addition to  
12 those authorized for the same fiscal year, to be assigned to  
13 implementing the children's mental health home project.

14 b. Of the funds appropriated in this section, up to \$400,000  
15 may be transferred by the department to the appropriation made  
16 to the department in this division of this Act for the same  
17 fiscal year for Medicaid program-related general administration  
18 planning and implementation activities. The funds may be used  
19 for contracts or for personnel in addition to the amounts  
20 appropriated for and the positions authorized for general  
21 administration for the fiscal year.

22 c. Of the funds appropriated in this section, up to  
23 \$3,000,000 may be transferred by the department to the  
24 appropriations made in this division of this Act for the  
25 same fiscal year for general administration or health  
26 program operations to be used to support the development  
27 and implementation of standardized assessment tools for  
28 persons with mental illness, an intellectual disability, a  
29 developmental disability, or a brain injury.

30 16. Of the funds appropriated in this section, \$150,000  
31 shall be used for lodging expenses associated with care  
32 provided at the university of Iowa hospitals and clinics for  
33 patients with cancer whose travel distance is 30 miles or more  
34 and whose income is at or below 200 percent of the federal  
35 poverty level as defined by the most recently revised poverty

1 income guidelines published by the United States department of  
2 health and human services. The department of human services  
3 shall establish the maximum number of overnight stays and the  
4 maximum rate reimbursed for overnight lodging, which may be  
5 based on the state employee rate established by the department  
6 of administrative services. The funds allocated in this  
7 subsection shall not be used as nonfederal share matching  
8 funds.

9 17. Of the funds appropriated in this section, up to  
10 \$3,383,880 shall be used for administration of the state family  
11 planning services program pursuant to [section 217.41B](#), and  
12 of this amount, the department may use up to \$200,000 for  
13 administrative expenses.

14 18. Of the funds appropriated in this section, \$1,545,530  
15 shall be used and may be transferred to other appropriations  
16 in this division of this Act as necessary to administer the  
17 provisions in the division of this Act relating to Medicaid  
18 program administration.

19 19. The department shall comply with the centers for  
20 Medicare and Medicaid services' guidance related to Medicaid  
21 program and children's health insurance program maintenance  
22 of effort provisions, including eligibility standards,  
23 methodologies, procedures, and continuous enrollment, to  
24 receive the enhanced federal medical assistance percentage  
25 under section 6008(b) of the federal Families First Coronavirus  
26 Response Act, Pub. L. No. 116-127. The department shall  
27 utilize and implement all tools, processes, and resources  
28 available to expediently return to normal eligibility and  
29 enrollment operations in compliance with federal guidance and  
30 expectations.

31 20. A portion of the funds appropriated in this section  
32 may be transferred to the appropriation in this division  
33 of this Act for the children's health insurance program  
34 if the children's health insurance program appropriation  
35 is not sufficient to cover the designated purposes of that



1 appropriation.

2     Sec. 14. HEALTH PROGRAM OPERATIONS. There is appropriated  
3 from the general fund of the state to the department of human  
4 services for the fiscal year beginning July 1, 2022, and ending  
5 June 30, 2023, the following amount, or so much thereof as is  
6 necessary, to be used for the purpose designated:

7     For health program operations:

8 ..... \$ 17,831,343

9     1. The department of inspections and appeals shall  
10 provide all state matching funds for survey and certification  
11 activities performed by the department of inspections  
12 and appeals. The department of human services is solely  
13 responsible for distributing the federal matching funds for  
14 such activities.

15     2. Of the funds appropriated in this section, \$50,000 shall  
16 be used for continuation of home and community-based services  
17 waiver quality assurance programs, including the review and  
18 streamlining of processes and policies related to oversight and  
19 quality management to meet state and federal requirements.

20     3. Of the amount appropriated in this section, up to  
21 \$200,000 may be transferred to the appropriation for general  
22 administration in this division of this Act to be used for  
23 additional full-time equivalent positions in the development  
24 of key health initiatives such as development and oversight  
25 of managed care programs and development of health strategies  
26 targeted toward improved quality and reduced costs in the  
27 Medicaid program.

28     4. Of the funds appropriated in this section, \$1,000,000  
29 shall be used for planning and development, in cooperation with  
30 the department of public health, of a phased-in program to  
31 provide a dental home for children.

32     5. a. Of the funds appropriated in this section, \$573,000  
33 shall be credited to the autism support program fund created  
34 in [section 225D.2](#) to be used for the autism support program  
35 created in [chapter 225D](#), with the exception of the following

1 amount of this allocation which shall be used as follows:

2     b. Of the funds allocated in this subsection, \$25,000 shall  
3 be used for the public purpose of continuation of a grant to  
4 a nonprofit provider of child welfare services that has been  
5 in existence for more than 115 years, is located in a county  
6 with a population between 220,000 and 250,000 according to the  
7 2020 federal decennial census, is licensed as a psychiatric  
8 medical institution for children, and provides school-based  
9 programming, to be used for support services for children with  
10 autism spectrum disorder and their families.

11     Sec. 15. STATE SUPPLEMENTARY ASSISTANCE.

12     1. There is appropriated from the general fund of the  
13 state to the department of human services for the fiscal year  
14 beginning July 1, 2022, and ending June 30, 2023, the following  
15 amount, or so much thereof as is necessary, to be used for the  
16 purpose designated:

17     For the state supplementary assistance program:

18 ..... \$ 7,349,002

19     2. The department shall increase the personal needs  
20 allowance for residents of residential care facilities by the  
21 same percentage and at the same time as federal supplemental  
22 security income and federal social security benefits are  
23 increased due to a recognized increase in the cost of living.  
24 The department may adopt emergency rules to implement this  
25 subsection.

26     3. If during the fiscal year beginning July 1, 2022,  
27 the department projects that state supplementary assistance  
28 expenditures for a calendar year will not meet the federal  
29 pass-through requirement specified in Tit. XVI of the federal  
30 Social Security Act, section 1618, as codified in 42 U.S.C.  
31 §1382g, the department may take actions including but not  
32 limited to increasing the personal needs allowance for  
33 residential care facility residents and making programmatic  
34 adjustments or upward adjustments of the residential care  
35 facility or in-home health-related care reimbursement rates

1 prescribed in this division of this Act to ensure that federal  
 2 requirements are met. In addition, the department may make  
 3 other programmatic and rate adjustments necessary to remain  
 4 within the amount appropriated in this section while ensuring  
 5 compliance with federal requirements. The department may adopt  
 6 emergency rules to implement the provisions of this subsection.

7 4. Notwithstanding [section 8.33](#), moneys appropriated  
 8 in this section that remain unencumbered or unobligated  
 9 at the close of the fiscal year shall not revert but  
 10 shall remain available for expenditure for the purposes  
 11 designated, including for liability amounts associated with the  
 12 supplemental nutrition assistance program payment error rate,  
 13 until the close of the succeeding fiscal year.

14 Sec. 16. CHILDREN'S HEALTH INSURANCE PROGRAM.

15 1. There is appropriated from the general fund of the  
 16 state to the department of human services for the fiscal year  
 17 beginning July 1, 2022, and ending June 30, 2023, the following  
 18 amount, or so much thereof as is necessary, to be used for the  
 19 purpose designated:

20 For maintenance of the healthy and well kids in Iowa (hawk-i)  
 21 program pursuant to [chapter 514I](#), including supplemental dental  
 22 services, for receipt of federal financial participation under  
 23 Tit. XXI of the federal Social Security Act, which creates the  
 24 children's health insurance program:

25 ..... \$ 41,713,403

26 2. Of the funds appropriated in this section, \$158,850 is  
 27 allocated for continuation of the contract for outreach with  
 28 the department of public health.

29 3. A portion of the funds appropriated in this section may  
 30 be transferred to the appropriations made in this division of  
 31 this Act for field operations or health program operations to  
 32 be used for the integration of hawk-i program eligibility,  
 33 payment, and administrative functions under the purview of  
 34 the department of human services, including for the Medicaid  
 35 management information system upgrade.

1     Sec. 17. CHILD CARE ASSISTANCE. There is appropriated  
2 from the general fund of the state to the department of human  
3 services for the fiscal year beginning July 1, 2022, and ending  
4 June 30, 2023, the following amount, or so much thereof as is  
5 necessary, to be used for the purpose designated:

6     For child care programs:

7 ..... \$ 40,816,931

8     1. Of the funds appropriated in this section, \$34,966,931  
9 shall be used for state child care assistance in accordance  
10 with [section 237A.13](#).

11    2. Nothing in this section shall be construed or is  
12 intended as or shall imply a grant of entitlement for services  
13 to persons who are eligible for assistance due to an income  
14 level consistent with the waiting list requirements of section  
15 237A.13. Any state obligation to provide services pursuant to  
16 this section is limited to the extent of the funds appropriated  
17 in this section.

18    3. A list of the registered and licensed child care  
19 facilities operating in the area served by a child care  
20 resource and referral service shall be made available to the  
21 families receiving state child care assistance in that area.

22    4. Of the funds appropriated in this section, \$5,850,000  
23 shall be credited to the early childhood programs grants  
24 account in the early childhood Iowa fund created in section  
25 256I.11. The moneys shall be distributed for funding of  
26 community-based early childhood programs targeted to children  
27 from birth through five years of age developed by early  
28 childhood Iowa areas in accordance with approved community  
29 plans as provided in [section 256I.8](#).

30    5. The department may use any of the funds appropriated  
31 in this section as a match to obtain federal funds for use in  
32 expanding child care assistance and related programs. For  
33 the purpose of expenditures of state and federal child care  
34 funding, funds shall be considered obligated at the time  
35 expenditures are projected or are allocated to the department's

1 service areas. Projections shall be based on current and  
2 projected caseload growth, current and projected provider  
3 rates, staffing requirements for eligibility determination  
4 and management of program requirements including data systems  
5 management, staffing requirements for administration of the  
6 program, contractual and grant obligations and any transfers  
7 to other state agencies, and obligations for decategorization  
8 or innovation projects.

9     6. A portion of the state match for the federal child care  
10 and development block grant shall be provided as necessary to  
11 meet federal matching funds requirements through the state  
12 general fund appropriation made for child development grants  
13 and other programs for at-risk children in [section 279.51](#).

14     7. If a uniform reduction ordered by the governor under  
15 section 8.31 or other operation of law, transfer, or federal  
16 funding reduction reduces the appropriation made in this  
17 section for the fiscal year, the percentage reduction in the  
18 amount paid out to or on behalf of the families participating  
19 in the state child care assistance program shall be equal to or  
20 less than the percentage reduction made for any other purpose  
21 payable from the appropriation made in this section and the  
22 federal funding relating to it. The percentage reduction to  
23 the other allocations made in this section shall be the same as  
24 the uniform reduction ordered by the governor or the percentage  
25 change of the federal funding reduction, as applicable. If  
26 there is an unanticipated increase in federal funding provided  
27 for state child care services, the entire amount of the  
28 increase, except as necessary to meet federal requirements  
29 including quality set asides, shall be used for state child  
30 care assistance payments. If the appropriations made for  
31 purposes of the state child care assistance program for the  
32 fiscal year are determined to be insufficient, it is the intent  
33 of the general assembly to appropriate sufficient funding for  
34 the fiscal year in order to avoid establishment of waiting list  
35 requirements.

1     8. Notwithstanding [section 8.33](#), moneys advanced for  
2 purposes of the programs developed by early childhood Iowa  
3 areas, advanced for purposes of wraparound child care, or  
4 received from the federal appropriations made for the purposes  
5 of this section that remain unencumbered or unobligated at the  
6 close of the fiscal year shall not revert to any fund but shall  
7 remain available for expenditure for the purposes designated  
8 until the close of the succeeding fiscal year.

9     Sec. 18. JUVENILE INSTITUTION. There is appropriated  
10 from the general fund of the state to the department of human  
11 services for the fiscal year beginning July 1, 2022, and ending  
12 June 30, 2023, the following amounts, or so much thereof as is  
13 necessary, to be used for the purposes designated:

14     1. a. For operation of the state training school at Eldora  
15 and for salaries, support, maintenance, and miscellaneous  
16 purposes:

17 ..... \$ 17,606,871

18     b. Of the funds appropriated in this subsection, \$91,000  
19 shall be used for distribution to licensed classroom teachers  
20 at this and other institutions under the control of the  
21 department of human services based upon the average student  
22 yearly enrollment at each institution as determined by the  
23 department.

24     2. A portion of the moneys appropriated in this section  
25 shall be used by the state training school at Eldora for  
26 grants for adolescent pregnancy prevention activities at the  
27 institution in the fiscal year beginning July 1, 2022.

28     3. Of the funds appropriated in this subsection, \$212,000  
29 shall be used by the state training school at Eldora for a  
30 substance use disorder treatment program at the institution for  
31 the fiscal year beginning July 1, 2022.

32     4. Notwithstanding [section 8.33](#), moneys appropriated in  
33 this section that remain unencumbered or unobligated at the  
34 close of the fiscal year shall not revert but shall remain  
35 available for expenditure for the purposes designated until the

1 close of the succeeding fiscal year.

2 Sec. 19. CHILD AND FAMILY SERVICES.

3 1. There is appropriated from the general fund of the  
4 state to the department of human services for the fiscal year  
5 beginning July 1, 2022, and ending June 30, 2023, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purpose designated:

8 For child and family services:

9 ..... \$ 89,371,930

10 2. The department may transfer funds appropriated in this  
11 section as necessary to pay the nonfederal costs of services  
12 reimbursed under the medical assistance program, state child  
13 care assistance program, or the family investment program which  
14 are provided to children who would otherwise receive services  
15 paid under the appropriation in this section. The department  
16 may transfer funds appropriated in this section to the  
17 appropriations made in this division of this Act for general  
18 administration and for field operations for resources necessary  
19 to implement and operate the services funded in this section.

20 3. a. Of the funds appropriated in this section, up to  
21 \$36,500,000 is allocated as the statewide expenditure target  
22 under [section 232.143](#) for group foster care maintenance and  
23 services. If the department projects that such expenditures  
24 for the fiscal year will be less than the target amount  
25 allocated in this paragraph "a", the department may reallocate  
26 the excess to provide additional funding for family foster  
27 care, independent living, family-centered services, shelter  
28 care, or the child welfare emergency services addressed with  
29 the allocation for shelter care.

30 b. If at any time after September 30, 2022, annualization  
31 of a service area's current expenditures indicates a service  
32 area is at risk of exceeding its group foster care expenditure  
33 target under [section 232.143](#) by more than 5 percent, the  
34 department and juvenile court services shall examine all  
35 group foster care placements in that service area in order to

1 identify those which might be appropriate for termination.  
2 In addition, any aftercare services believed to be needed  
3 for the children whose placements may be terminated shall be  
4 identified. The department and juvenile court services shall  
5 initiate action to set dispositional review hearings for the  
6 placements identified. In such a dispositional review hearing,  
7 the juvenile court shall determine whether needed aftercare  
8 services are available and whether termination of the placement  
9 is in the best interest of the child and the community.

10 4. In accordance with the provisions of [section 232.188](#),  
11 the department shall continue the child welfare and juvenile  
12 justice funding initiative during fiscal year 2022-2023. Of  
13 the funds appropriated in this section, \$1,717,000 is allocated  
14 specifically for expenditure for fiscal year 2022-2023 through  
15 the decategorization services funding pools and governance  
16 boards established pursuant to [section 232.188](#).

17 5. A portion of the funds appropriated in this section  
18 may be used for emergency family assistance to provide other  
19 resources required for a family participating in a family  
20 preservation or reunification project or successor project to  
21 stay together or to be reunified.

22 6. Of the funds appropriated in this section, a sufficient  
23 amount is allocated for shelter care and the child welfare  
24 emergency services contracting implemented to provide for or  
25 prevent the need for shelter care.

26 7. Federal funds received by the state during the fiscal  
27 year beginning July 1, 2022, as the result of the expenditure  
28 of state funds appropriated during a previous state fiscal  
29 year for a service or activity funded under this section are  
30 appropriated to the department to be used as additional funding  
31 for services and purposes provided for under this section.  
32 Notwithstanding [section 8.33](#), moneys received in accordance  
33 with this subsection that remain unencumbered or unobligated at  
34 the close of the fiscal year shall not revert to any fund but  
35 shall remain available for the purposes designated until the



1 close of the succeeding fiscal year.

2 8. a. Of the funds appropriated in this section, up to  
3 \$3,290,000 is allocated for the payment of the expenses of  
4 court-ordered services provided to juveniles who are under the  
5 supervision of juvenile court services, which expenses are a  
6 charge upon the state pursuant to section 232.141, subsection  
7 4. Of the amount allocated in this paragraph "a", up to  
8 \$1,556,000 shall be made available to provide school-based  
9 supervision of children adjudicated under [chapter 232](#), of which  
10 not more than \$15,000 may be used for the purpose of training.  
11 A portion of the cost of each school-based liaison officer  
12 shall be paid by the school district or other funding source as  
13 approved by the chief juvenile court officer.

14 b. Of the funds appropriated in this section, up to \$748,000  
15 is allocated for the payment of the expenses of court-ordered  
16 services provided to children who are under the supervision  
17 of the department, which expenses are a charge upon the state  
18 pursuant to [section 232.141, subsection 4](#).

19 c. Notwithstanding [section 232.141](#) or any other provision  
20 of law to the contrary, the amounts allocated in this  
21 subsection shall be distributed to the judicial districts  
22 as determined by the state court administrator and to the  
23 department's service areas as determined by the administrator  
24 of the department of human services' division of child and  
25 family services. The state court administrator and the  
26 division administrator shall make the determination of the  
27 distribution amounts on or before June 15, 2022.

28 d. Notwithstanding [chapter 232](#) or any other provision of  
29 law to the contrary, a district or juvenile court shall not  
30 order any service which is a charge upon the state pursuant  
31 to [section 232.141](#) if there are insufficient court-ordered  
32 services funds available in the district court or departmental  
33 service area distribution amounts to pay for the service. The  
34 chief juvenile court officer and the departmental service area  
35 manager shall encourage use of the funds allocated in this

1 subsection such that there are sufficient funds to pay for  
2 all court-related services during the entire year. The chief  
3 juvenile court officers and departmental service area managers  
4 shall attempt to anticipate potential surpluses and shortfalls  
5 in the distribution amounts and shall cooperatively request the  
6 state court administrator or division administrator to transfer  
7 funds between the judicial districts' or departmental service  
8 areas' distribution amounts as prudent.

9 e. Notwithstanding any provision of law to the contrary,  
10 a district or juvenile court shall not order a county to pay  
11 for any service provided to a juvenile pursuant to an order  
12 entered under [chapter 232](#) which is a charge upon the state  
13 under [section 232.141, subsection 4](#).

14 f. Of the funds allocated in this subsection, not more than  
15 \$83,000 may be used by the judicial branch for administration  
16 of the requirements under this subsection.

17 g. Of the funds allocated in this subsection, \$17,000  
18 shall be used by the department of human services to support  
19 the interstate commission for juveniles in accordance with  
20 the interstate compact for juveniles as provided in section  
21 232.173.

22 9. Of the funds appropriated in this section, \$12,253,000 is  
23 allocated for juvenile delinquent graduated sanctions services.  
24 Any state funds saved as a result of efforts by juvenile court  
25 services to earn a federal Tit. IV-E match for juvenile court  
26 services administration may be used for the juvenile delinquent  
27 graduated sanctions services.

28 10. Of the funds appropriated in this section, \$1,658,000 is  
29 transferred to the department of public health to be used for  
30 the child protection center grant program for child protection  
31 centers located in Iowa in accordance with [section 135.118](#).  
32 The grant amounts under the program shall be equalized so that  
33 each center receives a uniform base amount of \$245,000, and so  
34 that the remaining funds are awarded through a funding formula  
35 based upon the volume of children served. To increase access

1 to child protection center services for children in rural  
2 areas, the funding formula for the awarding of the remaining  
3 funds shall provide for the awarding of an enhanced amount to  
4 eligible grantees to develop and maintain satellite centers in  
5 underserved regions of the state.

6 11. Of the funds appropriated in this section, \$4,025,000 is  
7 allocated for the preparation for adult living program pursuant  
8 to [section 234.46](#).

9 12. Of the funds appropriated in this section, \$227,000  
10 shall be used for the public purpose of continuing a grant to a  
11 nonprofit human services organization, providing services to  
12 individuals and families in multiple locations in southwest  
13 Iowa and Nebraska for support of a project providing immediate,  
14 sensitive support and forensic interviews, medical exams, needs  
15 assessments, and referrals for victims of child abuse and their  
16 nonoffending family members.

17 13. Of the funds appropriated in this section, \$300,000  
18 is allocated for the foster care youth council approach of  
19 providing a support network to children placed in foster care.

20 14. Of the funds appropriated in this section, \$202,000 is  
21 allocated for use pursuant to [section 235A.1](#) for continuation  
22 of the initiative to address child sexual abuse implemented  
23 pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection  
24 21.

25 15. Of the funds appropriated in this section, \$630,000 is  
26 allocated for the community partnership for child protection  
27 sites.

28 16. Of the funds appropriated in this section, \$371,000  
29 is allocated for the department's minority youth and family  
30 projects under the redesign of the child welfare system.

31 17. Of the funds appropriated in this section, \$851,000  
32 is allocated for funding of the community circle of care  
33 collaboration for children and youth in northeast Iowa.

34 18. Of the funds appropriated in this section, at least  
35 \$147,000 shall be used for the continuation of the child

1 welfare provider training program.

2 19. Of the funds appropriated in this section, \$211,000  
3 shall be used for continuation of the central Iowa system of  
4 care program grant for the purposes of funding community-based  
5 services and other supports with a system of care approach for  
6 children with serious emotional disturbance and their families  
7 through a nonprofit provider that is located in a county  
8 with a population of more than 450,000 according to the 2020  
9 certified federal census, is licensed as a psychiatric medical  
10 institution for children, and was a system of care grantee  
11 prior to July 1, 2022.

12 20. Of the funds appropriated in this section, \$235,000  
13 shall be used for the public purpose of the continuation  
14 and expansion of a system of care program grant implemented  
15 in Cerro Gordo and Linn counties to utilize a comprehensive  
16 and long-term approach for helping children and families by  
17 addressing the key areas in a child's life of childhood basic  
18 needs, education and work, family, and community.

19 21. Of the funds appropriated in this section, \$110,000  
20 shall be used for the public purpose of funding community-based  
21 services and other supports with a system of care approach  
22 for children with a serious emotional disturbance and their  
23 families through a nonprofit provider of child welfare services  
24 that has been in existence for more than 115 years, is located  
25 in a county with a population of more than 230,000 according to  
26 the 2020 certified federal census, is licensed as a psychiatric  
27 medical institution for children, and was a system of care  
28 grantee prior to July 1, 2022.

29 22. If a separate funding source is identified that reduces  
30 the need for state funds within an allocation under this  
31 section, the allocated state funds may be redistributed to  
32 other allocations under this section for the same fiscal year.

33 23. Of the funds appropriated in this section, a portion may  
34 be used for family-centered services for purposes of complying  
35 with the federal Family First Prevention Services Act of 2018,

1 Pub. L. No. 115-123, and successor legislation.

2 Sec. 20. ADOPTION SUBSIDY.

3 1. There is appropriated from the general fund of the  
4 state to the department of human services for the fiscal year  
5 beginning July 1, 2022, and ending June 30, 2023, the following  
6 amount, or so much thereof as is necessary, to be used for the  
7 purpose designated:

8 a. For adoption subsidy payments and related costs and for  
9 other services provided for under paragraph "b", subparagraph  
10 (2):

11 ..... \$ 40,596,007

12 b. (1) Of the funds appropriated in this section, a  
13 sufficient amount is allocated for adoption subsidy payments  
14 and related costs.

15 (2) Any funds appropriated in this section remaining after  
16 the allocation under subparagraph (1) are designated and  
17 allocated as state savings resulting from implementation of  
18 the federal Fostering Connections to Success and Increasing  
19 Adoptions Act of 2008, Pub. L. No. 110-351, and successor  
20 legislation, as determined in accordance with 42 U.S.C.  
21 §673(a)(8), and shall be used for post-adoption services and  
22 for other purposes allowed under these federal laws, Tit. IV-B  
23 or Tit. IV-E of the federal Social Security Act.

24 (a) The department of human services may transfer funds  
25 allocated in this subparagraph (2) to the appropriation for  
26 child and family services in this division of this Act for the  
27 purposes designated in this subparagraph (2).

28 (b) Notwithstanding section 8.33, moneys allocated  
29 under this subparagraph (2) shall not revert to any fund but  
30 shall remain available for the purposes designated in this  
31 subparagraph (2) until expended.

32 2. The department may transfer funds appropriated in  
33 this section to the appropriation made in this division of  
34 this Act for general administration for costs paid from the  
35 appropriation relating to adoption subsidy.

1     3. Federal funds received by the state during the  
2 fiscal year beginning July 1, 2022, as the result of the  
3 expenditure of state funds during a previous state fiscal  
4 year for a service or activity funded under this section are  
5 appropriated to the department to be used as additional funding  
6 for the services and activities funded under this section.  
7 Notwithstanding [section 8.33](#), moneys received in accordance  
8 with this subsection that remain unencumbered or unobligated  
9 at the close of the fiscal year shall not revert to any fund  
10 but shall remain available for expenditure for the purposes  
11 designated until the close of the succeeding fiscal year.

12     Sec. 21. JUVENILE DETENTION HOME FUND. Moneys deposited  
13 in the juvenile detention home fund created in [section 232.142](#)  
14 during the fiscal year beginning July 1, 2022, and ending June  
15 30, 2023, are appropriated to the department of human services  
16 for the fiscal year beginning July 1, 2022, and ending June 30,  
17 2023, for distribution of an amount equal to a percentage of  
18 the costs of the establishment, improvement, operation, and  
19 maintenance of county or multicounty juvenile detention homes  
20 in the fiscal year beginning July 1, 2021. Moneys appropriated  
21 for distribution in accordance with this section shall be  
22 allocated among eligible detention homes, prorated on the basis  
23 of an eligible detention home's proportion of the costs of all  
24 eligible detention homes in the fiscal year beginning July  
25 1, 2021. The percentage figure shall be determined by the  
26 department based on the amount available for distribution for  
27 the fund. Notwithstanding [section 232.142, subsection 3](#), the  
28 financial aid payable by the state under that provision for the  
29 fiscal year beginning July 1, 2022, shall be limited to the  
30 amount appropriated for the purposes of this section.

31     Sec. 22. FAMILY SUPPORT SUBSIDY PROGRAM.

32     1. There is appropriated from the general fund of the  
33 state to the department of human services for the fiscal year  
34 beginning July 1, 2022, and ending June 30, 2023, the following  
35 amount, or so much thereof as is necessary, to be used for the

1 purpose designated:

2 For the family support subsidy program subject to the  
3 enrollment restrictions in [section 225C.37, subsection 3](#):

4 ..... \$ 949,282

5 2. At least \$931,536 of the moneys appropriated in this  
6 section is transferred to the department of public health for  
7 the family support center component of the comprehensive family  
8 support program under [chapter 225C, subchapter V](#).

9 3. If at any time during the fiscal year, the amount of  
10 funding available for the family support subsidy program  
11 is reduced from the amount initially used to establish the  
12 figure for the number of family members for whom a subsidy  
13 is to be provided at any one time during the fiscal year,  
14 notwithstanding [section 225C.38, subsection 2](#), the department  
15 shall revise the figure as necessary to conform to the amount  
16 of funding available.

17 Sec. 23. CONNER DECREE. There is appropriated from the  
18 general fund of the state to the department of human services  
19 for the fiscal year beginning July 1, 2022, and ending June 30,  
20 2023, the following amount, or so much thereof as is necessary,  
21 to be used for the purpose designated:

22 For building community capacity through the coordination  
23 and provision of training opportunities in accordance with the  
24 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.  
25 Iowa, July 14, 1994):

26 ..... \$ 33,632

27 Sec. 24. MENTAL HEALTH INSTITUTES.

28 1. There is appropriated from the general fund of the  
29 state to the department of human services for the fiscal year  
30 beginning July 1, 2022, and ending June 30, 2023, the following  
31 amounts, or so much thereof as is necessary, to be used for the  
32 purposes designated:

33 a. For operation of the state mental health institute at  
34 Cherokee as required by [chapters 218](#) and [226](#) for salaries,  
35 support, maintenance, and miscellaneous purposes:

1 ..... \$ 15,613,624  
2     b. For operation of the state mental health institute at  
3 Independence as required by [chapters 218](#) and [226](#) for salaries,  
4 support, maintenance, and miscellaneous purposes:  
5 ..... \$ 19,688,928  
6     2. a. Notwithstanding [sections 218.78](#) and [249A.11](#), any  
7 revenue received from the state mental health institute at  
8 Cherokee or the state mental health institute at Independence  
9 pursuant to [42 C.F.R §438.6\(e\)](#) may be retained and expended by  
10 the mental health institute.  
11     b. Notwithstanding [sections 218.78](#) and [249A.11](#), any  
12 COVID-19 related funding received through federal funding  
13 sources by the state mental health institute at Cherokee or the  
14 state mental health institute at Independence may be retained  
15 and expended by the mental health institute.  
16     3. Notwithstanding any provision of law to the contrary,  
17 a Medicaid member residing at the state mental health  
18 institute at Cherokee or the state mental health institute  
19 at Independence shall retain Medicaid eligibility during  
20 the period of the Medicaid member's stay for which federal  
21 financial participation is available.  
22     4. Notwithstanding [section 8.33](#), moneys appropriated in  
23 this section that remain unencumbered or unobligated at the  
24 close of the fiscal year shall not revert but shall remain  
25 available for expenditure for the purposes designated until the  
26 close of the succeeding fiscal year.  
27     Sec. 25. STATE RESOURCE CENTERS.  
28     1. There is appropriated from the general fund of the  
29 state to the department of human services for the fiscal year  
30 beginning July 1, 2022, and ending June 30, 2023, the following  
31 amounts, or so much thereof as is necessary, to be used for the  
32 purposes designated:  
33     a. For the state resource center at Glenwood for salaries,  
34 support, maintenance, and miscellaneous purposes:  
35 ..... \$ 16,288,739



1     b. For the state resource center at Woodward for salaries,  
2 support, maintenance, and miscellaneous purposes:

3 ..... \$ 13,409,294

4     2. The department may continue to bill for state resource  
5 center services utilizing a scope of services approach used for  
6 private providers of intermediate care facilities for persons  
7 with an intellectual disability services, in a manner which  
8 does not shift costs between the medical assistance program,  
9 mental health and disability services regions, or other sources  
10 of funding for the state resource centers.

11     3. The state resource centers may expand the time-limited  
12 assessment and respite services during the fiscal year.

13     4. If the department's administration and the department  
14 of management concur with a finding by a state resource  
15 center's superintendent that projected revenues can reasonably  
16 be expected to pay the salary and support costs for a new  
17 employee position, or that such costs for adding a particular  
18 number of new positions for the fiscal year would be less  
19 than the overtime costs if new positions would not be added,  
20 the superintendent may add the new position or positions. If  
21 the vacant positions available to a resource center do not  
22 include the position classification desired to be filled, the  
23 state resource center's superintendent may reclassify any  
24 vacant position as necessary to fill the desired position. The  
25 superintendents of the state resource centers may, by mutual  
26 agreement, pool vacant positions and position classifications  
27 during the course of the fiscal year in order to assist one  
28 another in filling necessary positions.

29     5. If existing capacity limitations are reached in  
30 operating units, a waiting list is in effect for a service or  
31 a special need for which a payment source or other funding  
32 is available for the service or to address the special need,  
33 and facilities for the service or to address the special need  
34 can be provided within the available payment source or other  
35 funding, the superintendent of a state resource center may

1 authorize opening not more than two units or other facilities  
2 and begin implementing the service or addressing the special  
3 need during fiscal year 2022-2023.

4 6. Notwithstanding [section 8.33](#), and notwithstanding  
5 the amount limitation specified in [section 222.92](#), moneys  
6 appropriated in this section that remain unencumbered or  
7 unobligated at the close of the fiscal year shall not revert  
8 but shall remain available for expenditure for the purposes  
9 designated until the close of the succeeding fiscal year.

10 Sec. 26. SEXUALLY VIOLENT PREDATORS.

11 1. There is appropriated from the general fund of the  
12 state to the department of human services for the fiscal year  
13 beginning July 1, 2022, and ending June 30, 2023, the following  
14 amount, or so much thereof as is necessary, to be used for the  
15 purpose designated:

16 For costs associated with the commitment and treatment of  
17 sexually violent predators in the unit located at the state  
18 mental health institute at Cherokee, including costs of legal  
19 services and other associated costs, including salaries,  
20 support, maintenance, and miscellaneous purposes:

21 ..... \$ 13,891,276

22 2. Unless specifically prohibited by law, if the amount  
23 charged provides for recoupment of at least the entire amount  
24 of direct and indirect costs, the department of human services  
25 may contract with other states to provide care and treatment  
26 of persons placed by the other states at the unit for sexually  
27 violent predators at Cherokee. The moneys received under  
28 such a contract shall be considered to be repayment receipts  
29 and used for the purposes of the appropriation made in this  
30 section.

31 3. Notwithstanding [section 8.33](#), moneys appropriated in  
32 this section that remain unencumbered or unobligated at the  
33 close of the fiscal year shall not revert but shall remain  
34 available for expenditure for the purposes designated until the  
35 close of the succeeding fiscal year.

1     Sec. 27. FIELD OPERATIONS.

2     1. There is appropriated from the general fund of the  
3 state to the department of human services for the fiscal year  
4 beginning July 1, 2022, and ending June 30, 2023, the following  
5 amount, or so much thereof as is necessary, to be used for the  
6 purposes designated:

7     For field operations, including salaries, support,  
8 maintenance, and miscellaneous purposes:

9 ..... \$ 65,894,438

10    2. Priority in filling full-time equivalent positions  
11 shall be given to those positions related to child protection  
12 services and eligibility determination for low-income families.

13    Sec. 28. GENERAL ADMINISTRATION. There is appropriated  
14 from the general fund of the state to the department of human  
15 services for the fiscal year beginning July 1, 2022, and ending  
16 June 30, 2023, the following amount, or so much thereof as is  
17 necessary, to be used for the purpose designated:

18    For general administration, including salaries, support,  
19 maintenance, and miscellaneous purposes:

20 ..... \$ 15,342,189

21    1. The department shall report at least monthly to the  
22 general assembly concerning the department's operational and  
23 program expenditures.

24    2. Of the funds appropriated in this section, \$150,000 shall  
25 be used for the provision of a program to provide technical  
26 assistance, support, and consultation to providers of home and  
27 community-based services under the medical assistance program.

28    3. Of the funds appropriated in this section, \$50,000  
29 is transferred to the Iowa finance authority to be used  
30 for administrative support of the council on homelessness  
31 established in [section 16.2D](#) and for the council to fulfill its  
32 duties in addressing and reducing homelessness in the state.

33    4. Of the funds appropriated in this section, \$200,000 shall  
34 be transferred to and deposited in the administrative fund of  
35 the Iowa ABLE savings plan trust created in [section 12I.4](#), to

1 be used for implementation and administration activities of the  
2 Iowa ABLE savings plan trust.

3 5. Of the funds appropriated in this section, \$200,000 is  
4 transferred to the economic development authority for the Iowa  
5 commission on volunteer services to continue to be used for the  
6 RefugeeRISE AmeriCorps program established under [section 15H.8](#)  
7 for member recruitment and training to improve the economic  
8 well-being and health of economically disadvantaged refugees in  
9 local communities across Iowa. Funds transferred may be used  
10 to supplement federal funds under federal regulations.

11 6. Of the funds appropriated in this section, up to \$300,000  
12 shall be used as follows:

13 a. To fund not more than 1.00 full-time equivalent position  
14 to address the department's responsibility to support the work  
15 of the children's behavioral health system state board and  
16 implementation of the services required pursuant to section  
17 331.397.

18 b. To support the cost of establishing and implementing new  
19 or additional services required pursuant to sections 331.397  
20 and 331.397A.

21 c. Of the amount allocated, \$32,000 shall be transferred  
22 to the department of public health to support the costs of  
23 establishing and implementing new or additional services  
24 required pursuant to sections 331.397 and 331.397A.

25 7. Of the funds appropriated in this section, \$800,000 shall  
26 be used for the renovation and construction of certain nursing  
27 facilities, consistent with the provisions of chapter 249K.

28 Sec. 29. DEPARTMENT-WIDE DUTIES. There is appropriated  
29 from the general fund of the state to the department of human  
30 services for the fiscal year beginning July 1, 2022, and ending  
31 June 30, 2023, the following amount, or so much thereof as is  
32 necessary, to be used for the purposes designated:

33 For salaries, support, maintenance, and miscellaneous  
34 purposes at facilities under the purview of the department of  
35 human services:

1 ..... \$ 4,172,123

2 Sec. 30. VOLUNTEERS. There is appropriated from the general  
3 fund of the state to the department of human services for the  
4 fiscal year beginning July 1, 2022, and ending June 30, 2023,  
5 the following amount, or so much thereof as is necessary, to be  
6 used for the purpose designated:

7 For development and coordination of volunteer services:

8 ..... \$ 84,686

9 Sec. 31. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY  
10 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE  
11 DEPARTMENT OF HUMAN SERVICES.

12 1. a. (1) (a) Notwithstanding any provision of law to the  
13 contrary, for the fiscal year beginning July 1, 2022, case-mix  
14 nursing facilities shall be reimbursed in accordance with the  
15 methodology in effect on June 30, 2022.

16 (b) For the fiscal year beginning July 1, 2022, non-case-mix  
17 and special population nursing facilities shall be reimbursed  
18 in accordance with the methodology in effect on June 30, 2022.

19 (c) For managed care claims, the department of human  
20 services shall adjust the payment rate floor for nursing  
21 facilities, annually, to maintain a rate floor that is no  
22 lower than the Medicaid fee-for-service case-mix adjusted rate  
23 calculated in accordance with subparagraph division (a) and  
24 441 IAC 81.6. The department shall then calculate adjusted  
25 reimbursement rates, including but not limited to add-on  
26 payments, annually, and shall notify Medicaid managed care  
27 organizations of the adjusted reimbursement rates within 30  
28 days of determining the adjusted reimbursement rates. Any  
29 adjustment of reimbursement rates under this subparagraph  
30 division shall be budget neutral to the state budget.

31 (d) For the fiscal year beginning July 1, 2022, Medicaid  
32 managed care long-term services and supports capitation rates  
33 shall be adjusted to reflect the case-mix adjusted rates  
34 specified pursuant to subparagraph division (a) for the patient  
35 populations residing in Medicaid-certified nursing facilities.

1       (2) Medicaid managed care organizations shall adjust  
2 facility-specific rates based upon payment rate listings issued  
3 by the department. The rate adjustments shall be applied  
4 prospectively from the effective date of the rate letter issued  
5 by the department.

6       b. (1) For the fiscal year beginning July 1, 2022, the  
7 department shall establish the fee-for-service pharmacy  
8 dispensing fee reimbursement at \$10.38 per prescription,  
9 until a cost of dispensing survey is completed. The actual  
10 dispensing fee shall be determined by a cost of dispensing  
11 survey performed by the department and required to be completed  
12 by all medical assistance program participating pharmacies  
13 every two years, adjusted as necessary to maintain expenditures  
14 within the amount appropriated to the department for this  
15 purpose for the fiscal year. A change in the dispensing  
16 fee shall become effective following federal approval of the  
17 Medicaid state plan.

18       (2) The department shall utilize an average acquisition  
19 cost reimbursement methodology for all drugs covered under the  
20 medical assistance program in accordance with 2012 Iowa Acts,  
21 chapter 1133, section 33.

22       c. (1) For the fiscal year beginning July 1, 2022,  
23 reimbursement rates for outpatient hospital services shall  
24 remain at the rates in effect on June 30, 2022, subject to  
25 Medicaid program upper payment limit rules, and adjusted  
26 as necessary to maintain expenditures within the amount  
27 appropriated to the department for this purpose for the fiscal  
28 year.

29       (2) For the fiscal year beginning July 1, 2022,  
30 reimbursement rates for inpatient hospital services shall  
31 remain at the rates in effect on June 30, 2022, subject to  
32 Medicaid program upper payment limit rules, and adjusted  
33 as necessary to maintain expenditures within the amount  
34 appropriated to the department for this purpose for the fiscal  
35 year.

1       (3) For the fiscal year beginning July 1, 2022, under  
2 both fee-for-service and managed care administration of  
3 the Medicaid program, critical access hospitals shall be  
4 reimbursed for inpatient and outpatient services based on the  
5 hospital-specific critical access hospital cost adjustment  
6 factor methodology utilizing the most recent and complete cost  
7 reporting period as applied prospectively within the funds  
8 appropriated for such purpose for the fiscal year.

9       (4) For the fiscal year beginning July 1, 2022, the graduate  
10 medical education and disproportionate share hospital fund  
11 shall remain at the amount in effect on June 30, 2022, except  
12 that the portion of the fund attributable to graduate medical  
13 education shall be reduced in an amount that reflects the  
14 elimination of graduate medical education payments made to  
15 out-of-state hospitals.

16       (5) In order to ensure the efficient use of limited state  
17 funds in procuring health care services for low-income Iowans,  
18 funds appropriated in this Act for hospital services shall  
19 not be used for activities which would be excluded from a  
20 determination of reasonable costs under the federal Medicare  
21 program pursuant to 42 U.S.C. §1395x(v)(1)(N).

22       d. For the fiscal year beginning July 1, 2022, reimbursement  
23 rates for hospices and acute psychiatric hospitals shall be  
24 increased in accordance with increases under the federal  
25 Medicare program or as supported by their Medicare audited  
26 costs.

27       e. For the fiscal year beginning July 1, 2022, independent  
28 laboratories and rehabilitation agencies shall be reimbursed  
29 using the same methodology in effect on June 30, 2022.

30       f. (1) For the fiscal year beginning July 1, 2022,  
31 reimbursement rates for home health agencies shall continue to  
32 be based on the Medicare low utilization payment adjustment  
33 (LUPA) methodology with state geographic wage adjustments. The  
34 department shall continue to update the rates every two years  
35 to reflect the most recent Medicare LUPA rates.

1       (2) For the fiscal year beginning July 1, 2022, rates for  
2 private duty nursing and personal care services under the early  
3 and periodic screening, diagnostic, and treatment program  
4 benefit shall be calculated based on the methodology in effect  
5 on June 30, 2022.

6       g. For the fiscal year beginning July 1, 2022, federally  
7 qualified health centers and rural health clinics shall receive  
8 cost-based reimbursement for 100 percent of the reasonable  
9 costs for the provision of services to recipients of medical  
10 assistance.

11      h. For the fiscal year beginning July 1, 2022, the  
12 reimbursement rates for dental services shall remain at the  
13 rates in effect on June 30, 2022.

14      i. (1) For the fiscal year beginning July 1, 2022,  
15 reimbursement rates for non-state-owned psychiatric medical  
16 institutions for children shall be based on the reimbursement  
17 methodology in effect on June 30, 2022.

18      (2) As a condition of participation in the medical  
19 assistance program, enrolled providers shall accept the medical  
20 assistance reimbursement rate for any covered goods or services  
21 provided to recipients of medical assistance who are children  
22 under the custody of a psychiatric medical institution for  
23 children.

24      j. For the fiscal year beginning July 1, 2022, unless  
25 otherwise specified in this Act, all noninstitutional medical  
26 assistance provider reimbursement rates shall remain at the  
27 rates in effect on June 30, 2022, except for area education  
28 agencies, local education agencies, infant and toddler  
29 services providers, home and community-based services providers  
30 including consumer-directed attendant care providers under a  
31 section 1915(c) or 1915(i) waiver, targeted case management  
32 providers, and those providers whose rates are required to be  
33 determined pursuant to [section 249A.20](#), or to meet federal  
34 mental health parity requirements.

35      k. Notwithstanding any provision to the contrary, for the



1 fiscal year beginning July 1, 2022, the reimbursement rate for  
2 anesthesiologists shall remain at the rates in effect on June  
3 30, 2022, and updated on January 1, 2023, to align with the  
4 most current Iowa Medicare anesthesia rate.

5 1. Notwithstanding [section 249A.20](#), for the fiscal year  
6 beginning July 1, 2022, the average reimbursement rate for  
7 health care providers eligible for use of the federal Medicare  
8 resource-based relative value scale reimbursement methodology  
9 under [section 249A.20](#) shall remain at the rate in effect on  
10 June 30, 2022; however, this rate shall not exceed the maximum  
11 level authorized by the federal government.

12 m. For the fiscal year beginning July 1, 2022, the  
13 reimbursement rate for residential care facilities shall not  
14 be less than the minimum payment level as established by the  
15 federal government to meet the federally mandated maintenance  
16 of effort requirement. The flat reimbursement rate for  
17 facilities electing not to file annual cost reports shall not  
18 be less than the minimum payment level as established by the  
19 federal government to meet the federally mandated maintenance  
20 of effort requirement.

21 n. For the fiscal year beginning July 1, 2022, the  
22 reimbursement rates for inpatient mental health services  
23 provided at hospitals shall remain at the rates in effect on  
24 June 30, 2022, subject to Medicaid program upper payment limit  
25 rules and adjusted as necessary to maintain expenditures within  
26 the amount appropriated to the department for this purpose for  
27 the fiscal year; and psychiatrists shall be reimbursed at the  
28 medical assistance program fee-for-service rate in effect on  
29 June 30, 2022.

30 o. For the fiscal year beginning July 1, 2022, community  
31 mental health centers may choose to be reimbursed for the  
32 services provided to recipients of medical assistance through  
33 either of the following options:

- 34 (1) For 100 percent of the reasonable costs of the services.  
35 (2) In accordance with the alternative reimbursement rate

1 methodology approved by the department of human services in  
2 effect on June 30, 2022.

3 p. For the fiscal year beginning July 1, 2022, the  
4 reimbursement rate for providers of family planning services  
5 that are eligible to receive a 90 percent federal match shall  
6 remain at the rates in effect on June 30, 2022.

7 q. (1) For the fiscal year beginning July 1, 2022,  
8 reimbursement rates for providers of home and community-based  
9 services waiver and habilitation services shall remain at the  
10 rates in effect on June 30, 2022.

11 (2) For the fiscal year beginning July 1, 2022,  
12 reimbursement rates for providers of state plan home and  
13 community-based services home-based habilitation services  
14 shall remain at the rates in effect on June 30, 2022. The  
15 reimbursement rates for home-based habilitation services shall  
16 be based on a fee schedule that incorporates the acuity-based  
17 tiers.

18 r. For the fiscal year beginning July 1, 2022, the  
19 reimbursement rates for emergency medical service providers  
20 shall remain at the rates in effect on June 30, 2022, or as  
21 approved by the centers for Medicare and Medicaid services of  
22 the United States department of health and human services.

23 s. For the fiscal year beginning July 1, 2022, reimbursement  
24 rates for substance-related disorder treatment programs  
25 licensed under [section 125.13](#) shall remain at the rates in  
26 effect on June 30, 2022.

27 t. For the fiscal year beginning July 1, 2022, assertive  
28 community treatment per diem rates shall remain at the rates in  
29 effect on June 30, 2022.

30 u. For the fiscal year beginning July 1, 2022, the  
31 reimbursement rate for family-centered services providers shall  
32 be established by contract.

33 v. For the fiscal year beginning July 1, 2022, the  
34 reimbursement rate for air ambulance services shall remain at  
35 the rate in effect on June 30, 2022.

1     2. For the fiscal year beginning July 1, 2022, the  
2 reimbursement rate for providers reimbursed under the  
3 in-home-related care program shall not be less than the minimum  
4 payment level as established by the federal government to meet  
5 the federally mandated maintenance of effort requirement.

6     3. Unless otherwise directed in this section, when the  
7 department's reimbursement methodology for any provider  
8 reimbursed in accordance with this section includes an  
9 inflation factor, this factor shall not exceed the amount  
10 by which the consumer price index for all urban consumers  
11 increased during the calendar year ending December 31, 2002.

12     4. Notwithstanding [section 234.38](#), for the fiscal  
13 year beginning July 1, 2022, the foster family basic daily  
14 maintenance rate and the maximum adoption subsidy rate for  
15 children ages 0 through 5 years shall be \$16.78, the rate for  
16 children ages 6 through 11 years shall be \$17.45, the rate for  
17 children ages 12 through 15 years shall be \$19.10, and the  
18 rate for children and young adults ages 16 and older shall  
19 be \$19.35. For youth ages 18 to 23 who have exited foster  
20 care, the preparation for adult living program maintenance  
21 rate shall be up to \$602.70 per month as calculated based on  
22 the age of the participant. The maximum payment for adoption  
23 subsidy nonrecurring expenses shall be limited to \$500 and the  
24 disallowance of additional amounts for court costs and other  
25 related legal expenses implemented pursuant to 2010 Iowa Acts,  
26 chapter 1031, section 408, shall be continued.

27     5. For the fiscal year beginning July 1, 2022, the maximum  
28 reimbursement rates for social services providers under  
29 contract shall remain at the rates in effect on June 30, 2022,  
30 or the provider's actual and allowable cost plus inflation for  
31 each service, whichever is less. However, if a new service  
32 or service provider is added after June 30, 2022, the initial  
33 reimbursement rate for the service or provider shall be based  
34 upon a weighted average of provider rates for similar services.

35     6. a. For the fiscal year beginning July 1, 2022, the

1 reimbursement rates for resource family recruitment and  
2 retention contractors shall be established by contract.

3     b. For the fiscal year beginning July 1, 2022, the  
4 reimbursement rates for supervised apartment living foster care  
5 providers shall be established by contract.

6     7. For the fiscal year beginning July 1, 2022, the  
7 reimbursement rate for group foster care providers shall be the  
8 combined service and maintenance reimbursement rate established  
9 by contract.

10    8. The group foster care reimbursement rates paid for  
11 placement of children out of state shall be calculated  
12 according to the same rate-setting principles as those used for  
13 in-state providers, unless the director of human services or  
14 the director's designee determines that appropriate care cannot  
15 be provided within the state. The payment of the daily rate  
16 shall be based on the number of days in the calendar month in  
17 which service is provided.

18    9. a. For the fiscal year beginning July 1, 2022, the  
19 reimbursement rate paid for shelter care and the child welfare  
20 emergency services implemented to provide or prevent the need  
21 for shelter care shall be the combined service and maintenance  
22 rate established by contract.

23    b. For the fiscal year beginning July 1, 2022, the combined  
24 service and maintenance components of the reimbursement rate  
25 paid for shelter care services shall be based on the financial  
26 and statistical report submitted to the department.

27    10. For the fiscal year beginning July 1, 2022, the  
28 department shall calculate reimbursement rates for intermediate  
29 care facilities for persons with an intellectual disability  
30 at the 80th percentile. Beginning July 1, 2022, the rate  
31 calculation methodology shall utilize the consumer price index  
32 inflation factor applicable to the fiscal year beginning July  
33 1, 2022.

34    11. Effective July 1, 2022, child care provider  
35 reimbursement rates shall remain at the rates in effect on June

1 30, 2022. The department shall set rates in a manner so as  
2 to provide incentives for a nonregistered provider to become  
3 registered by applying any increase only to registered and  
4 licensed providers.

5 12. The department may adopt emergency rules to implement  
6 this section.

7 Sec. 32. EMERGENCY RULES.

8 1. If necessary to comply with federal requirements  
9 including time frames, or if specifically authorized by a  
10 provision of this division of this Act, the department of  
11 human services or the mental health and disability services  
12 commission may adopt administrative rules under section 17A.4,  
13 subsection 3, and section 17A.5, subsection 2, paragraph "b",  
14 to implement the provisions of this division of this Act and  
15 the rules shall become effective immediately upon filing or  
16 on a later effective date specified in the rules, unless the  
17 effective date of the rules is delayed or the applicability  
18 of the rules is suspended by the administrative rules review  
19 committee. Any rules adopted in accordance with this section  
20 shall not take effect before the rules are reviewed by the  
21 administrative rules review committee. The delay authority  
22 provided to the administrative rules review committee under  
23 section 17A.4, subsection 7, and section 17A.8, subsections  
24 9 and 10, shall be applicable to a delay imposed under this  
25 section, notwithstanding a provision in those subsections  
26 making them inapplicable to section 17A.5, subsection 2,  
27 paragraph "b". Any rules adopted in accordance with the  
28 provisions of this section shall also be published as a notice  
29 of intended action as provided in section 17A.4.

30 2. If during a fiscal year, the department of human  
31 services is adopting rules in accordance with this section  
32 or as otherwise directed or authorized by state law, and  
33 the rules will result in an expenditure increase beyond the  
34 amount anticipated in the budget process or if the expenditure  
35 was not addressed in the budget process for the fiscal

1 year, the department shall notify the general assembly and the department of management concerning the rules and the expenditure increase. The notification shall be provided at least 30 calendar days prior to the date notice of the rules is submitted to the administrative rules coordinator and the administrative code editor.

7 Sec. 33. REPORTS. Unless otherwise provided, any reports or other information required to be compiled and submitted under this Act during the fiscal year beginning July 1, 2022, shall be submitted on or before the dates specified for submission of the reports or information.

12 Sec. 34. EFFECTIVE UPON ENACTMENT. The following provision of this division of this Act, being deemed of immediate importance, takes effect upon enactment:

15 The provision relating to [section 232.141](#) and directing the state court administrator and the division administrator of the department of human services division of child and family services to make the determination, by June 15, 2022, of the distribution of funds allocated for the payment of the expenses of court-ordered services provided to juveniles which are a charge upon the state.

## DIVISION VI

### HEALTH CARE ACCOUNTS AND FUNDS — FY 2022-2023

24 Sec. 35. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is appropriated from the pharmaceutical settlement account created in [section 249A.33](#) to the department of human services for the fiscal year beginning July 1, 2022, and ending June 30, 2023, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

30 Notwithstanding any provision of law to the contrary, to supplement the appropriations made in this Act for health program operations under the medical assistance program for the fiscal year beginning July 1, 2022, and ending June 30, 2023:  
 34 ..... \$ 234,193

35 Sec. 36. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN

1 SERVICES. Notwithstanding any provision to the contrary and  
2 subject to the availability of funds, there is appropriated  
3 from the quality assurance trust fund created in section  
4 249L.4 to the department of human services for the fiscal year  
5 beginning July 1, 2022, and ending June 30, 2023, the following  
6 amounts, or so much thereof as is necessary, for the purposes  
7 designated:

8 To supplement the appropriation made in this Act from the  
9 general fund of the state to the department of human services  
10 for medical assistance for the same fiscal year:  
11 ..... \$ 56,305,139

12 Sec. 37. HOSPITAL HEALTH CARE ACCESS TRUST FUND —  
13 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to  
14 the contrary and subject to the availability of funds, there is  
15 appropriated from the hospital health care access trust fund  
16 created in [section 249M.4](#) to the department of human services  
17 for the fiscal year beginning July 1, 2022, and ending June  
18 30, 2023, the following amounts, or so much thereof as is  
19 necessary, for the purposes designated:

20 To supplement the appropriation made in this Act from the  
21 general fund of the state to the department of human services  
22 for medical assistance for the same fiscal year:  
23 ..... \$ 33,920,554

24 Sec. 38. MEDICAL ASSISTANCE PROGRAM — NONREVERSION  
25 FOR FY 2022-2023. Notwithstanding [section 8.33](#), if moneys  
26 appropriated for purposes of the medical assistance program for  
27 the fiscal year beginning July 1, 2022, and ending June 30,  
28 2023, from the general fund of the state, the quality assurance  
29 trust fund, and the hospital health care access trust fund, are  
30 in excess of actual expenditures for the medical assistance  
31 program and remain unencumbered or unobligated at the close  
32 of the fiscal year, the excess moneys shall not revert but  
33 shall remain available for expenditure for the purposes of the  
34 medical assistance program until the close of the succeeding  
35 fiscal year.

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DIVISION VII

DECATEGORIZATION CARRYOVER FUNDING

Sec. 39. DECATEGORIZATION CARRYOVER FUNDING FY 2020 —  
TRANSFER TO MEDICAID PROGRAM. Notwithstanding section 232.188,  
subsection 5, paragraph “b”, any state-appropriated moneys in  
the funding pool that remained unencumbered or unobligated  
at the close of the fiscal year beginning July 1, 2019, and  
were deemed carryover funding to remain available for the two  
succeeding fiscal years that still remain unencumbered or  
unobligated at the close of the fiscal year beginning July 1,  
2021, shall not revert but shall be transferred to the medical  
assistance program for the fiscal year beginning July 1, 2022.  
Sec. 40. EFFECTIVE DATE. This division of this Act, being  
deemed of immediate importance, takes effect upon enactment.  
Sec. 41. RETROACTIVE APPLICABILITY. This division of this  
Act applies retroactively to July 1, 2021.

DIVISION VIII

TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE

Sec. 42. TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE —  
FY2021-2022. Notwithstanding any provision to the contrary,  
any funds remaining in the property tax relief fund created  
in section 426B.1 at the close of the fiscal year beginning  
July 1, 2021, shall be transferred to the region incentive fund  
created in the mental health and disability services regional  
service fund pursuant to section 225C.7A.  
Sec. 43. EFFECTIVE DATE. This division of this Act, being  
deemed of immediate importance, takes effect upon enactment.

DIVISION IX

PRIOR APPROPRIATIONS AND OTHER PROVISIONS

FAMILY INVESTMENT PROGRAM GENERAL FUND

Sec. 44. 2021 Iowa Acts, chapter 182, section 9, is amended  
by adding the following new subsection:  
NEW SUBSECTION. 7. Notwithstanding section 8.33, moneys  
appropriated in this section that remain unencumbered or  
unobligated at the close of the fiscal year shall not revert



1 but shall remain available for one-time expenditure purposes,  
2 and may be transferred to the appropriation in this division of  
3 this Act for general administration for technology purposes,  
4 until the close of the succeeding fiscal year.

5 CHILD AND FAMILY SERVICES

6 Sec. 45. 2021 Iowa Acts, chapter 182, section 19, is amended  
7 by adding the following new subsection:

8 NEW SUBSECTION. 24. Notwithstanding section 8.33, moneys  
9 appropriated in this section that remain unencumbered or  
10 unobligated at the close of the fiscal year shall not revert  
11 but shall remain available for the purposes designated until  
12 the close of the succeeding fiscal year.

13 GENERAL ADMINISTRATION

14 Sec. 46. 2021 Iowa Acts, chapter 182, section 28, is amended  
15 by adding the following new subsection:

16 NEW SUBSECTION. 8. Notwithstanding section 8.33, moneys  
17 appropriated in this section that remain unencumbered or  
18 unobligated at the close of the fiscal year shall not revert  
19 but shall remain available for one-time expenditure purposes  
20 until the close of the succeeding fiscal year.

21 Sec. 47. EFFECTIVE DATE. This division of this Act, being  
22 deemed of immediate importance, takes effect upon enactment.

23 DIVISION X

24 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS

25 Sec. 48. COVID-19 FEDERAL REGULATIONS. For the time  
26 period beginning on the effective date of this division of  
27 this Act, and ending June 30, 2023, notwithstanding state  
28 administrative rules to the contrary, to the extent federal  
29 regulations relating to the COVID-19 pandemic differ from state  
30 administrative rules, including applicable federal waivers,  
31 the federal regulations are controlling during the pendency of  
32 the federally declared state of emergency and for such period  
33 of time following the end of the federally declared state of  
34 emergency applicable to the respective federal regulations.

35 DIVISION XI

1 HEALTH AND HUMAN SERVICES REALIGNMENT

2 Sec. 49. TRANSITION OF DEPARTMENT OF HUMAN SERVICES AND  
3 DEPARTMENT OF PUBLIC HEALTH INTO DEPARTMENT OF HEALTH AND HUMAN  
4 SERVICES.

5 1. Definitions. For the purposes of this section:

6 a. "Department of health and human services" or  
7 "department" means the department of health and human services  
8 created under this section.

9 b. "Transition department" means the department of human  
10 services or the department of public health.

11 c. "Transition departments" means the department of human  
12 services and the department of public health.

13 d. "Transition period" means the period beginning July 1,  
14 2022, and ending June 30, 2023.

15 2. Creation of department of health and human services  
16 — transition period — powers and duties. Notwithstanding  
17 any conflicting provision of law to the contrary, there is  
18 created a department of health and human services. During  
19 the transition period, the department of health and human  
20 services shall have and may exercise all of the policymaking  
21 functions, regulatory and enforcement powers, rights, duties,  
22 and responsibilities of the department of human services and  
23 the department of public health as prescribed by law or rule  
24 in effect on July 1, 2022, including but not limited to those  
25 relating to:

26 a. All obligations and contracts of a transition  
27 department, including obligations and contracts related to a  
28 grant program.

29 b. All property and records in the custody of a transition  
30 department.

31 c. All funds appropriated to a transition department by the  
32 general assembly and all state, federal, and other funds for  
33 which expenditure by a transition department is authorized.

34 d. Complaints, investigations, contested cases, causes of  
35 action, and statutes of limitations involving a transition

1 department.

2 (1) All complaints, investigations, contested cases, or  
3 a remand of an action by a reviewing court pending before a  
4 transition department or an authorized person of a transition  
5 department shall continue without change in status before  
6 the department and shall be governed by the laws and rules  
7 applicable to the complaint, investigation, contested case, or  
8 remand action or proceeding in effect on July 1, 2022.

9 (2) Any cause of action or statute of limitation relating  
10 to a transition department shall not be affected as a result  
11 of the transition and such cause of action or statute of  
12 limitation shall apply to the department.

13 e. Rules, policies, and forms. All rules, policies, and  
14 forms adopted by or on behalf of a transition department shall  
15 become rules, policies, and forms of the department and shall  
16 remain in effect unless altered by the department.

17 f. Licenses, permits, and certifications. All licenses,  
18 permits, and certifications issued by a transition department  
19 shall continue in effect as a license, permit, or certification  
20 of the department in accordance with the law or rule governing  
21 the license, permit, or certification in effect on July 1,  
22 2022, until the license, permit, or certification expires, is  
23 suspended or revoked, or otherwise becomes invalid by the terms  
24 of such law or rule.

25 g. References to a department or director. All references  
26 to the department of public health or the department of human  
27 services in law or in rule shall be interpreted to mean the  
28 department of health and human services, and all references to  
29 the director of public health or the director of human services  
30 shall be interpreted to mean the director of the department of  
31 health and human services.

32 h. Departmental structure.

33 (1) Any transition department, transition department  
34 subunit, or transition department body created or established  
35 by law and in existence on July 1, 2022, shall continue in

1 full force and effect and shall not be permanently abolished,  
2 merged, or otherwise altered until amended, repealed, or  
3 supplemented by action of the general assembly.

4 (2) This paragraph shall not prohibit a transition  
5 department, transition department subunit, or transition  
6 department body created or established by law in existence on  
7 July 1, 2022, from sharing or coordinating responsibilities  
8 or functions under their respective purviews nor prohibit  
9 the director from temporarily integrating such departments,  
10 subunits, or bodies or the responsibilities or functions under  
11 their respective purviews in furtherance of the transition plan  
12 during the transition period.

13 3. Transition period leadership. During the transition  
14 period, the director of human services shall continue to act  
15 as the director of human services, shall assume the duties of  
16 the director of public health, shall act as the director of  
17 the department of health and human services, and may thereby  
18 exercise any policymaking functions, regulatory and enforcement  
19 powers, rights, duties, and responsibilities of the director  
20 of human services and the director of public health including  
21 those duties prescribed by law for the department of human  
22 services or the department of public health in effect on July  
23 1, 2022.

24 4. Federal authorization and effective date of  
25 authorizations. If a transition department or the department  
26 determines that a waiver or authorization from the federal  
27 government is necessary to administer any provision of  
28 this section, the department shall request the waiver or  
29 authorization, and notwithstanding any other effective date to  
30 the contrary, the provision shall take effect only upon receipt  
31 of federal approval.

32 5. Initial written transition plan.

33 a. On or before September 30, 2022, the transition  
34 departments or department shall publish on their respective  
35 internet sites an initial written transition plan for merging

1 the functions of the transition departments into the department  
2 of health and human services effective July 1, 2023, in order  
3 to do all of the following:

4 (1) More efficiently and effectively manage health and  
5 human services programs that are the responsibility of the  
6 state.

7 (2) Establish a health and human services policy for the  
8 state.

9 (3) Promote health and the quality of life in the health and  
10 human services field.

11 b. The transition plan shall describe, at a minimum, all of  
12 the following:

13 (1) The tasks that require completion before July 1, 2023,  
14 including a description of how the transition departments shall  
15 solicit comment from stakeholders, including employees of the  
16 transition departments, clients and partners of the transition  
17 departments, members of the public, and members of the general  
18 assembly.

19 (2) The proposed organizational structure of the  
20 department, at a minimum, including the division level of  
21 the table of organization. Any personnel in the state merit  
22 system of employment who are mandatorily transferred due to the  
23 transition shall be so transferred without any loss in salary,  
24 benefits, or accrued years of service.

25 (3) Proposed changes to any transition department boards,  
26 commissions, committees, councils, or other bodies and their  
27 functions.

28 (4) Office space and infrastructure requirements related  
29 to the transition.

30 (5) Any work site location changes for transitioning  
31 employees.

32 (6) The transition of service delivery sites.

33 (7) Procedures for the transfer and reconciliation of  
34 budgeting and funding between the transition departments and  
35 the department.

1 (8) The transition of technology services of the transition  
2 departments to the department.

3 (9) Any additional known tasks that may require completion  
4 after the transition on July 1, 2023.

5 c. The written transition plan published under paragraph  
6 "b" shall:

7 (1) Include a detailed timeline for the completion of the  
8 tasks described.

9 (2) Be updated quarterly during the remainder of the  
10 transition period.

11 (3) Describe how information will be provided to clients  
12 of the transition departments and the department regarding any  
13 changes in service delivery.

14 (4) Describe how the transition to the department will be  
15 funded, including how expenses associated with the transition  
16 will be managed; how funding for services provided by the  
17 transition departments will be managed to ensure provision  
18 of services by the transition departments and the department  
19 without interruption; and how federal funds will be used by  
20 or transferred between the transition departments and the  
21 department to ensure provision of services by the transition  
22 departments and the department without interruption.

23 6. Statutory and administrative rule updates.

24 a. Legislative changes required to implement the  
25 transition. Additional legislation is necessary to fully  
26 implement the transition. The director of the department  
27 of health and human services shall, in compliance with  
28 section 2.16, prepare draft legislation for submission to the  
29 legislative services agency, as necessary, for consideration  
30 by the general assembly during the 2023 legislative  
31 session, to implement the transition effective July 1, 2023.  
32 Notwithstanding any provision to the contrary in section 2.16,  
33 the draft legislation shall be submitted to the legislative  
34 services agency by October 1, 2022.

35 b. Update of administrative code required by the

1 transition. In updating references and the format in the  
2 Iowa administrative code, in order to correspond to the  
3 transferring of duties of the transition departments, the  
4 administrative rules coordinator and the administrative rules  
5 review committee, in consultation with the administrative code  
6 editor, shall collectively develop a schedule for the necessary  
7 updating of the Iowa administrative code.

8 DIVISION XII

9 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY  
10 OF CARE RATE ADD-ON PROGRAM

11 Sec. 50. Section 249L.2, subsections 6 and 7, Code 2022, are  
12 amended by striking the subsections.

13 Sec. 51. Section 249L.2, subsection 8, Code 2022, is amended  
14 to read as follows:

15 8. *"Nursing facility"* means a licensed nursing facility as  
16 defined in [section 135C.1](#) that is a freestanding facility or  
17 a nursing facility operated by a hospital licensed pursuant  
18 to [chapter 135B](#), but does not include a distinct-part skilled  
19 nursing unit or a swing-bed unit operated by a hospital, or  
20 a nursing facility owned by the state or federal government  
21 or other governmental unit. ~~*"Nursing facility"* includes a~~  
22 ~~non-state government-owned nursing facility if the nursing~~  
23 ~~facility participates in the non-state government-owned nursing~~  
24 ~~facility quality of care rate add-on program.~~

25 Sec. 52. REPEAL. 2019 Iowa Acts, chapter 85, sections 103,  
26 104, and 108, are repealed.

27 Sec. 53. REPEAL. 2020 Iowa Acts, chapter 1063, section 390,  
28 is repealed.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with  
31 the explanation's substance by the members of the general assembly.

32 This bill relates to appropriations for health and human  
33 services for fiscal year 2022-2023 to the department of  
34 veterans affairs, Iowa veterans home, department on aging  
35 (IDA), office of long-term care ombudsman, department of public

1 health (DPH), Iowa finance authority, department of human  
2 rights, and department of human services (DHS). The bill is  
3 organized into divisions for each fiscal year.

4 DEPARTMENT ON AGING. This division makes appropriations  
5 from the general fund of the state to the department on aging.

6 OFFICE OF LONG-TERM CARE OMBUDSMAN. This division makes  
7 appropriations from the general fund of the state to the office  
8 of long-term care ombudsman.

9 DEPARTMENT OF PUBLIC HEALTH. This division makes  
10 appropriations from the general fund of the state and from  
11 the sports wagering receipts fund to the department of public  
12 health.

13 DEPARTMENT OF VETERANS AFFAIRS AND IOWA VETERANS HOME. This  
14 division makes appropriations from the general fund of the  
15 state to the department of veterans affairs for administration,  
16 the Iowa veterans home, for transfer to the Iowa finance  
17 authority for the home ownership assistance program and for the  
18 county commissions of veteran affairs.

19 DEPARTMENT OF HUMAN SERVICES. This division makes  
20 appropriations from the general fund of the state and the  
21 federal temporary assistance for needy families block  
22 grant to DHS. The allocation for the family development  
23 and self-sufficiency grant program is made directly to  
24 the department of human rights. The reimbursement section  
25 addresses reimbursement for providers reimbursed by the  
26 department of human services.

27 HEALTH CARE ACCOUNTS AND FUNDS. This division makes certain  
28 health-related appropriations. A number of the appropriations  
29 are made for purposes of the Medicaid program in addition to  
30 the general fund appropriations made for this purpose for the  
31 same fiscal year.

32 DECATEGORIZATION CARRYOVER FUNDING. This division provides  
33 for the transfer of carryover decategorization funds that  
34 remained unencumbered or unobligated at the close of the fiscal  
35 year beginning July 1, 2021, to the Medicaid program for



1 FY 2022-2023. The division takes effect upon enactment and is  
2 retroactively applicable to July 1, 2021.

3 TRANSFER OF PROPERTY TAX RELIEF FUND BALANCE. This division  
4 transfers any funds remaining in the property tax relief fund  
5 created in Code section 426B.1 at the close of FY 2021-2022 to  
6 the region incentive fund created in the mental health and  
7 disability services regional service fund pursuant to Code  
8 section 225C.7A. The division takes effect upon enactment.

9 PRIOR APPROPRIATIONS AND OTHER PROVISIONS. This division  
10 provides that moneys appropriated for the family investment  
11 program general fund, child and family services and general  
12 administration for FY 2021-2022 shall not revert but shall  
13 remain available for one-time expenditure or for the purposes  
14 designated, or may be transferred, as specified, until the  
15 close of the succeeding fiscal year.

16 PUBLIC HEALTH EMERGENCY PROVISIONS COVID-19 REGULATIONS.  
17 This division provides that for FY 2022-2023, notwithstanding  
18 state administrative rules to the contrary, to the extent  
19 federal regulations relating to the COVID-19 pandemic differ  
20 from state administrative rules, including applicable federal  
21 waivers, the federal regulations are controlling during the  
22 pendency of the federally declared state of emergency and for  
23 such period of time following the end of the federally declared  
24 state of emergency applicable to the respective federal  
25 regulations.

26 HEALTH AND HUMAN SERVICES REALIGNMENT. This division  
27 provides a process during a transition period beginning July  
28 1, 2022, and ending June 30, 2023, for the realignment of  
29 the department of public health and the department of human  
30 services into the department of health and human services  
31 effective July 1, 2023.

32 NON-STATE GOVERNMENT-OWNED NURSING FACILITY QUALITY OF CARE  
33 RATE ADD-ON PROGRAM. This division eliminates the non-state  
34 government-owned nursing facility quality of care rate add-on  
35 program, and makes conforming changes in the Iowa Acts and the

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 Code.